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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

1 **WHEREAS**, a public hearing notice was published in the West County Times and posted
2 in three public places pursuant to California Government Code Section 65090 on March 29,
3 2019 for the public hearing held on April 10, 2019; and
4

5 **WHEREAS**, the Planning & Zoning Commission held a public hearing to discuss the
6 zoning classification establishment on April 10, 2019; and
7

8 **WHEREAS**, the Planning & Zoning Commission held a public hearing and considered
9 all public comments received, the presentation by City staff, the staff report, and all other
10 pertinent documents regarding the proposed request; and
11

12 **WHEREAS**, the Planning & Zoning adopted Resolution 2019-05 on April 10, 2019
13 making findings pursuant to Section 21166 and Section 15162 pursuant to the California
14 Environmental Quality Act (CEQA) Guidelines; and
15

16 **WHEREAS**, the Planning & Zoning Commission adopted Resolution 2019-06 on April
17 10, 2019 forwarding a recommendation to the Albany City Council to establish zoning
18 classifications consistent with the General Plan Land Use Map; and

19 **WHEREAS**, a public hearing notice was published in the West County Times and posted
20 in three public places pursuant to California Government Code Section 65090 on April 26, 2019
21 for the public hearing held on May 6, 2019; and
22

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

25 **WHEREAS**, the Albany City Council held a public hearing and considered all public
26 comments received, the presentation by City staff, the staff report, and all other pertinent
27 documents regarding the proposed request; and
28

1 **WHEREAS**, Albany Municipal Code Chapter XX Land Development Volume Section
2 20.100.070 states the following with the following findings:

3
4 **20.100.070** **Amendments.**
5

6
7 **C. Findings.** An amendment to this Chapter may be recommended by the Planning
8 and Zoning Commission and adopted by the City Council only if the
9 following *findings* are made:

- 10
11 1. ***General Plan Consistency.** That the proposed amendment is consistent*
12 *with the General Plan, and*

13
14 ***Finding:*** The proposed Zoning Classification establishment is consistent
15 with the General Plan Land Use Map contained in the Albany 2035
16 General Plan which was adopted by City Council on April 18, 2016. The
17 General Plan Land Use Map identifies the site as Parks/Open Space and
18 High Density Residential Land Uses. The proposed Zoning
19 Classifications of R-3 Residential High Density and PF-Public Facilities
20 are the corresponding Zoning Classifications, consistent with the General
21 Plan Land Use Map.

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

24 ***Finding:*** An Environmental Impact Report (EIR) was prepared for the
25 2035 General Plan which was adopted by the City Council on April 18,
26 2016 (SCH #2014032040). The original EIR analyzed the potential land
27 use changes and future development that could occur on site based on the
28 proposed zoning establishment. No new changes to land use have

1 occurred nor has there been a substantial change related to land use on
2 site or in the general vicinity of the property. Adverse impacts to public
3 health, safety, and welfare are not expected.
4

5 **NOW, THEREFORE, THE ALBANY CITY COUNCIL ORDAINS** the approval of
6 the zoning classification establishment and zoning map amendment for the parcel located at
7 Cleveland Avenue and Washington Avenue.
8

9
10 **SECTION 2: PUBLICATION AND EFFECTIVE DATE.**

11 This ordinance shall be posted at three public places within the City of Albany and shall
12 become effective thirty days after the date of its posting.
13

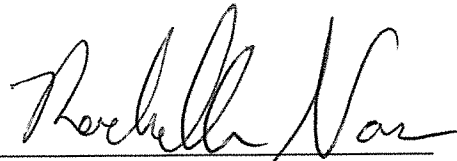
14 **PASSED AND ADOPTED** by the City Council of the City of Albany at its meeting on
15 the 3rd day of June 2019, by the following vote:

16 AYES: *Council Members: Barnes, Maass, Vice Mayor McQuaid, Mayor Nason*

17 NOES:

18 ABSENT: *Council Member Pilch*

19 ABSTAIN:

20 

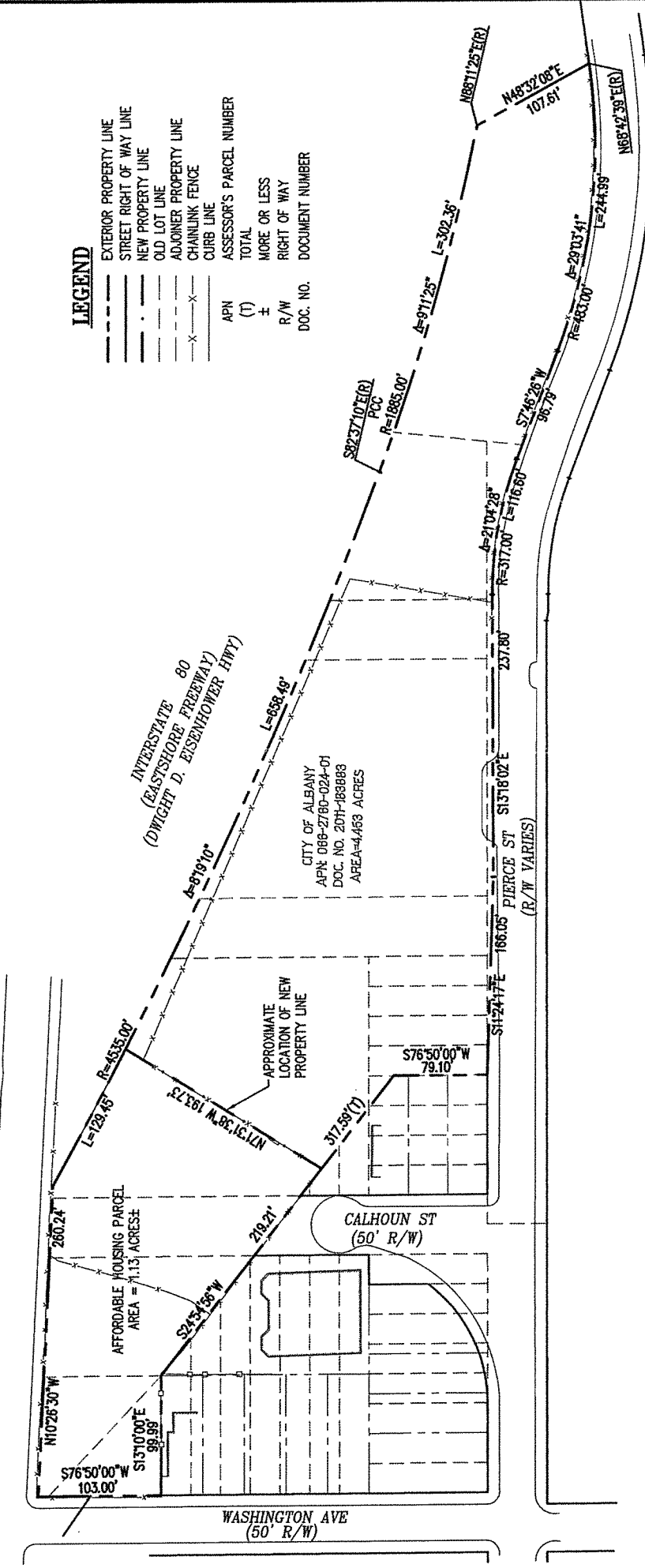
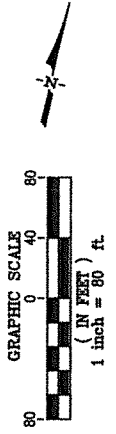
21 ROCHELLE NASON, MAYOR
22
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EXHIBIT A
PROPERTY LINE EXHIBIT
 CLEVELAND & WASHINGTON AFFORDABLE HOUSING
 CITY OF ALBANY - CALIFORNIA

Prepared By
Luk and Associates
 Civil Engineers - Land Planners - Land Surveyors
 738 Alfred Nobel Drive
 Hercules, California 94547
 MARCH 2019 SCALE: 1"=80'

LEGEND

---	EXTERIOR PROPERTY LINE	---	ASSESSOR'S PARCEL NUMBER
---	STREET RIGHT OF WAY LINE	---	TOTAL
---	NEW PROPERTY LINE	---	MORE OR LESS
---	OLD LOT LINE	---	RIGHT OF WAY
---	ADJONER PROPERTY LINE	---	DOC. NO.
---	CHAINLINK FENCE	---	
---	CURB LINE	---	
---		---	
---		---	





City of Albany

1000 San Pablo Avenue • Albany, California 94706
(510) 528-5710 • www.albanyca.org

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