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RESOLUTION NO. PZ 05-02

**A RESOLUTION OF THE
ALBANY PLANNING AND ZONING COMMISSION**

**RECOMMENDING THAT THE CITY COUNCIL ADOPT AMENDMENTS
TO CHAPTER XX OF THE ALBANY MUNICIPAL CODE,
PLANNING AND ZONING,
TO ADD PROVISIONS ON HOUSING**

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, the City completed a comprehensive process of updating said Ordinance with the adoption by the Albany City Council of a revised Chapter XX on December 6, 2004; and

WHEREAS, the proposed revisions to Chapter XX, as recommended by the Planning and Zoning Commission for adoption by the City Council, included a proposed subsection to encourage and regulate affordable housing, the adoption of which subsection was deferred by the City Council in order to allow for additional research, and revisions of proposed text in order to comply with revisions to State law made in 2004 by Senate Bill 1818; and

WHEREAS, pursuant to the California Environmental Quality Act, City staff prepared an Initial Study of potential environmental effects of the proposed housing provisions, and as a result a notice of intent to adopt a Mitigated Negative Declaration was circulated on April 6, 2005 for public review and comment; and

WHEREAS, the Planning and Zoning Commission held a duly-noticed public hearing and heard public testimony on proposed zoning amendments and considered all comments on the draft Mitigated Negative Declaration on April 26, 2005 and subsequently on May 10, May 31, and June 14, 2005; and

NOW, THEREFORE, BE IT RESOLVED, that the Albany Planning and Zoning Commission hereby recommends that the City Council adopt the proposed Section 20.40, Housing Provisions, and as related definitions in Section, 20.08, the text of which is attached to and incorporated in this Resolution.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that in recommending adoption of said Sections of the Zoning Ordinance, the Albany Planning and Zoning Commission hereby adopts the following findings:

1. *That an Initial Study of the project has addressed the potential environmental impacts of the proposed zoning amendments, in conformance with the California Environmental Quality Act, and the Community Development Director has determined that the proposed project could not have a significant effect on the environment.*

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2. *That in recommending adoption of the proposed regulations, the Planning and Zoning Commission has reviewed and considered the information contained in the Initial Study, dated April 6, 2005, and the draft Mitigated Negative Declaration, and has reviewed and considered all comments, testimony and other evidence introduced at the public hearing and in the record of the review of the proposed regulations.*

3. *That the proposed regulations are consistent with the Albany General Plan, specifically the Land Use Element and the Housing Element.*

PASSED, APPROVED and ADOPTED this 14th day of June, 2005.

AYES: Arkin, Donaldson, Flavell, Moss
NOES: None
ABSENT: Panian
ABSTAIN: None

Chair, Planning and Zoning Commission

ATTEST:

David Dowswell, Planning Manager