

**PLANNING & ZONING COMMISSION
RESOLUTION 2015-01**

**A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF ALBANY,
COUNTY OF ALAMEDA, STATE OF CALIFORNIA, RECOMMENDING ADOPTION OF THE
INITIAL STUDY-MITIGATED NEGATIVE DECLARATION FOR THE 2015-2023 ALBANY HOUSING
ELEMENT BY THE ALBANY CITY COUNCIL**

WHEREAS, the City of Albany has prepared a Draft Housing Element for the 2015-2023 period in accordance with State Government Code 65580-65589.8; and

WHEREAS, on February 3, 2013 the Albany City Council approved a contract and scope of work for the General Plan Update which included the update and completion of the Housing Element for the 2015-2023 reporting period; and

WHEREAS, the Albany Planning & Zoning Commission held public hearings to discuss the Housing Element on July 27, 2014, September 10, 2014, September 24, 2014, October 8, 2014, and December 10, 2014; and

WHEREAS, a public workshop was held with City staff on July 22, 2014 to discuss the Housing Element; and

WHEREAS, adoption of the Housing Element constitutes an amendment to the Albany General Plan and is defined as a "project" under the California Environmental Quality Act (CEQA), which is thus subject to environmental review; and

WHEREAS, the City retained the consulting firm Placeworks to prepare an Initial Study of the proposed 2015-2023 Housing Element; and

WHEREAS, the Initial Study-Mitigated Negative Declaration (IS-MND) was made available to the public on December 9, 2014; and

WHEREAS, on December 9, 2014 and Notice of Public Hearing for the Planning & Zoning Commission and a Notice of Availability for the IS-MND were published in the Contra Costa Times pursuant to Section 65090 and Section 65355 of the California Government Code

WHEREAS, the City provided public notice of the availability of the IS-MND for public review and posted copies of the document on the City of Albany website for over 21 days; and

WHEREAS, prior to the hearing on January 7, 2015 the Planning & Zoning Commission was provided with the complete contents of the Draft Housing Element for the 2015-2023 planning period reflecting edits in response to the comment letter dated December 1, 2014 received from HCD and the draft IS-MND for the Housing Element; and

WHEREAS, on January 7, 2015 the Albany Planning and Zoning Commission held a duly noticed public hearing to receive comments on the Initial Study-Mitigated Negative Declaration (IS-MND) and draft Housing Element for the 2015-2023 planning period;

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 December 26, 2014 for the public hearing held on January 7, 2015; and

NOW THEREFORE, BE IT RESOLVED THAT THE ALBANY PLANNING AND ZONING COMMISSION MAKES THE FOLLOWING FINDINGS:

a. The Planning and Zoning Commission has reviewed the record for the Mitigated Negative Declaration for the Housing Element, including the Initial Study;

b. The documents and materials that constitute the record of proceedings shall be maintained with the City of Albany Community Development Department, 1000 San Pablo Avenue, Albany, CA 94706;

c. The Mitigated Negative Declaration identifies all potentially significant adverse environmental impacts and feasible mitigation measures that would reduce these impacts to a less-than-significant level. All of the mitigation measures identified in the Mitigated Negative Declaration, including those in the Mitigation Monitoring and Reporting Program, will be adopted as part of the Project. The Commission finds that on the basis of the whole record before it, there is no substantial evidence that the Project, as mitigated in the Mitigated Negative Declaration, will have a significant impact on the environment;

d. Any development proposals that would result from implementation of the Housing Element will be evaluated in accordance with Section 15002 (d) of CEQA. Prior to approval of such developments, the City shall conduct project-specific environmental review to determine whether any significant impacts could occur. As appropriate, the City shall require measures to mitigate potential significant impacts;

e. The 2015-2023 Housing Element proposes no changes to the Albany General Plan Map or Zoning Map, and proposes no zoning changes which would increase allowable density;

f. During the preparation of the Initial Study Checklist, it was determined that adoption of the Housing Element would have no impact or have less-than-significant impact on the following environmental factors: Aesthetics, Agricultural Resources, Biological Resources, Cultural Resources, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Land Use and Planning, Mineral Resources, Noise, Population and

Housing, Public Services, Recreation, Transportation/Traffic, Utilities/Service Systems;

g. During the preparation of the Initial Study Checklist, it was determined that adoption of the Housing Element could have a potentially significant impact on one or more of the following environmental factors: Air Quality, Hydrology and Water Quality;

h. Consistent with CEQA Statutes and CEQA Guidelines, the Mitigated Negative Declaration contains a full and complete explanation as to how the potentially significant impact on these environmental factors are reduced to less-than-significant impact levels by the incorporation of the required mitigation measures set forth in the Mitigation Monitoring and Reporting Program attached hereto as Exhibit A and incorporated herein;

i. The Mitigated Negative Declaration constitutes an adequate, accurate, objective and complete document prepared, published, circulated and reviewed in accordance with the requirements of CEQA and the City CEQA Guidelines;

j. The Commission has reviewed and considered the information contained within the Mitigated Negative Declaration prior to preparing a recommendation on the Housing Element, and finds that the Mitigated Negative Declaration reflects the independent judgment and analysis of the City;

k. The Commission's recommendation on the Mitigated Negative Declaration, along with any comments on the document received by the close of the comment period on December 30, 2014, will be forwarded to the Albany City Council.

NOW THEREFORE BE IT RESOLVED, that the Albany Planning and Zoning Commission recommends Council adoption of the Mitigated Negative Declaration for the 2015-2023 Albany Housing Element and the Mitigation Monitoring and Reporting Program contained as Exhibit A.

PASSED, APPROVED AND ADOPTED this 7th day of January 2015 by the following

vote:

AYES-

NOES-

ABSENT-

ABSTENTION-

Planning Commission Chairperson Donaldson

ATTEST:

Anne Hersch, City Planner