

RESOLUTION 2007-121

RESOLUTION OF THE CITY OF SAN PABLO CITY COUNCIL TO APPROVE THE DRAFT INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION, ADOPT THE 23RD STREET SPECIFIC PLAN, AND APPROVE AMENDMENTS TO THE GENERAL PLAN TEXT, GENERAL PLAN LAND USE MAP

WHEREAS, the City of San Pablo is required to maintain consistency between its Land Use Element of the General Plan and its Zoning code; and,

WHEREAS, certain elements of the General Plan are in need of amending to plan for future development at suitable densities, that is harmonious with its surroundings and aesthetically pleasing; and,

WHEREAS, the General Plan calls for the creation of Specific Plans for certain corridors including 23rd Street and;

WHEREAS, a Specific Plan for 23rd Street has been drafted and as part of its adoption the City has worked to amend the General Plan Land Use element to reference this document; and,

WHEREAS, the General Plan Map is being amended to reflect the boundaries of the 23rd Street Specific Plan Area; and,

WHEREAS, the City of San Pablo has worked to amend the Zoning code and the Zoning map of the City of San Pablo to create consistency with the 23rd Street Specific Plan and with the General Plan; and,

WHEREAS, pursuant to Article 6, California Code of Regulations, Title 14, Chapter 3, Guidelines for the California Environmental Quality Act (CEQA) of 1970, as amended, the City of San Pablo prepared a Draft Initial Study/Negative Declaration to determine whether the project will have a significant effect on the environment; and

WHEREAS, a Notice of Intent to Issue a Negative Declaration was mailed to be posted at the County Clerk's office of Contra Costa County on April 23, 2007 and circulated for public review between April 24, 2007 and May 24, 2007; and

WHEREAS, the Planning Commission of the City of San Pablo has held a duly noticed public hearing on August 21, 2007 to recommend that the City Council adopt the Draft Negative Declaration and the Specific Plan, to amend the General Plan Text and the General Plan Map, and adopt an ordinance to amend the Zoning Ordinance text and Zoning Map (AMD07-71), and heard from staff, the consultant team and the general public on said project; and,

WHEREAS, a notice of this public hearing was published in the Contra Costa Times on Friday, September 21, 2007. Additionally, approximately 270 notices were mailed to all the residents and property owners within 300 feet of the project area; and,

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of San Pablo certifies the Initial Study/Negative Declaration, based on the following findings:

1. The Negative Declaration and its conclusions reflect the independent judgment of the Planning Commission.
2. The Negative Declaration is in compliance with the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines, and the City's local CEQA Guidelines, and adequately addresses the expected environmental impacts of the proposed Amendments.
3. The City Council finds that there is no substantial evidence supporting a fair argument that the project will have a significant adverse effect on the environment.
4. Pursuant to Title XIV, California Code of Regulations ("CCR") § 753.5(c)(1), the City Council has determined that, after considering the record as a whole, there is no evidence that the proposed Specific Plan will have the potential for any adverse effect on wildlife resources or the habitat upon which the wildlife depends as defined in Fish and Game Code § 711.2. Therefore, the payment of Fish and Game Department filing fees is not required in conjunction with this project. (Fish & Game Code, § 711.4; Title XIV, CCR § 735.5(a)(3).)

BE IT FURTHER RESOLVED that the City Council of the City of San Pablo adopts the recitals set forth above which are hereby incorporated fully by reference as findings and certifies the Initial Study/Mitigated Negative Declaration (Exhibit B, attached to the staff report), approves the General Plan Text and the General Plan Land Use Map (Exhibits C and D, attached to the staff report), and approves the 23rd Street Specific Plan (Exhibit E, attached to the staff report), based upon the following findings:

The proposed amendments are consistent with the purposes of the Zoning Ordinance and all goals, policies and implementing programs of the San Pablo General Plan, including:

General Plan Goal LU 11, 23rd Street

Create an identifiable and viable neighborhood serving commercial district that encourages small business development and creates a pedestrian oriented shopping area through focused land use consolidation, public improvements and coordinated planning of the district. The City should develop development standards and design guidelines (on a district and/or land use specific basis) based upon the City's ability to allocate resources (financial and/or professional) on a priority basis. This may include the preparation of district specific or master plans

and/or design guidelines for residential and commercial uses on a City-wide basis. District guidelines and standards shall seek to include public safety improvement elements in site/building design.

General Plan Action LU 1.B, Design Guidelines and Standards

The City should develop development standards and design guidelines (on a district and/or land use specific basis) based upon the City's ability to allocate resources (financial and/or professional) on a priority basis. This may include the preparation of district specific or master plans and/or design guidelines for residential and commercial uses on a City-wide basis. District guidelines and standards shall seek to include public safety improvement elements in site/building design.

General Plan Action LU 5.B, Specific Planning Approach

In support of the City's economic development activities, the City shall support Specific Plan, District Plan, and Design guideline approaches, and seek to utilize the process as a way to package districts as a promotional opportunity. This can include coordinating with redevelopment type developers, and related reuse specialists under the terms of a design workshop, or working groups to encourage creative strategies for District development on a City-wide basis.

General Plan Policy LU 5.4, Specific Plans

The City should consider a number of various special and comprehensive planning approaches (such as area specific plans) for 23rd Street, El Portal Center, Alvarado, and the Gateway districts. Other areas to be given consideration for comprehensive planning activities, depending on community initiative and potential investment, include Rumrill Boulevard, Market Street, Giant Trade Center and the Hillside area.

General Plan Policy LU 5.5, District Vitality and Improvement

As a method for encouraging economic development activity, the City shall (on a priority basis) utilize the appropriate use of the Zoning Ordinance, Design Guidelines, Specific Plans or other special planning process for district improvements to coordinate the pattern and mix of land uses, to ensure a compatible transition of land uses (internal and adjacent), to balance development activity with corresponding public improvements and to demonstrate (to both the community and potential investors) a commitment to increasing the vitality of San Pablo.

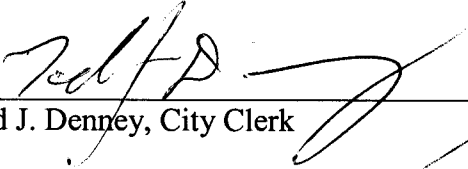
NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of San Pablo hereby finds that the foregoing recitations are true and correct, and are included herein by reference as findings.

Adopted this 1st day of October, 2007, by the following vote to wit:

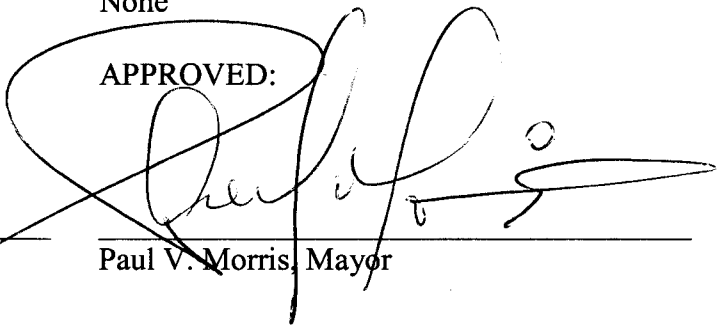
AYES:	COUNCILMEMBERS:	McNeil, Calloway, Gomes, Brown and Morris
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

ATTEST:

APPROVED:



Ted J. Denney, City Clerk



Paul V. Morris, Mayor