

## RESOLUTION 2011-115

### RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO ADOPTING THE REGULATING PLAN FOR THE FORMER CIRCLE S MOBILE HOME PARK SITE.

WHEREAS, the revitalization of San Pablo Avenue is of paramount importance to the City of San Pablo ("CITY"); and

WHEREAS, the City's new General Plan, adopted in April of 2011 contains policies that encourage organized development of San Pablo Avenue and particularly the site formerly known as Circle S; and

WHEREAS, a rendering depicting the community's vision for the future development of this area was unveiled for comments at the July 5, 2011 Joint Study session of the Planning Commission and City Council; and

WHEREAS, following this joint meeting staff was given direction to proceed with the development of a Regulating Plan (Attachment A) that includes development codes and prescribing language to ensure that future development of the site is consistent with the community's vision as depicted in said rendering; and

WHEREAS, a draft version of the Regulating Plan and the associated Mitigated Negative Declaration and Initial Study (Attachment B) were presented to the Planning Commission and City Council on September 27, 2011 for comments; and

WHEREAS, a summary of the comments received at said meetings were compiled and addressed in the final version of the Regulating Plan which contains three sections – Introduction, Regulating Code, and Implementation; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), a Notice of Intent to adopt a Mitigated Negative Declaration was circulated, an Initial Study (IS) was prepared circulated for a 20 day review period beginning September 20, 2011 and ending on October 10, 2011; and

WHEREAS, the City as lead agency has met all requirements of the California Environmental Quality Act; and

WHEREAS, the Planning Commission of the City of San Pablo held a duly noticed hearing on October 4, 2011 and adopted Resolution No. 11-17 recommending that the City Council adopt the proposed Regulating Plan and associated Environmental Review documents; and

WHEREAS, notice of this public hearing was given pursuant to Government Code section 65090; and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS: that the City Council of the City of San Pablo hereby adopts the Regulating Plan for the former Circle-S mobile home park site and associated Environmental Review documents based on the following findings:

1. The City Council finds, with respect to the City's preparation, review, and consideration of the IS/MND, that:
  - The City Council has exercised its independent judgment in accordance with the applicable requirements of the CEQA and the CEQA Guidelines in retaining the independent consulting firm of EMC Planning Group to prepare the IS/MND, and preparation of the IS/MND has been prepared at the direction and under the supervision of the City of San Pablo Planning Department; and
  - The IS/MND has been completed in compliance with CEQA; and
  - There is no substantial evidence in the record that the Project, subject to and as modified by the mitigation measures and conditions of approval attached hereto, will have a significant effect on the environment; and
  - These findings, and the conclusions and determinations in the IS/MND, reflect the independent judgment and analysis of the City Council and the City of San Pablo; and
2. This project will not have a significant effect on wildlife resources including the habitat upon which the wildlife depends for its continued viability, and there is no evidence that the proposed project would have any potential for adverse effect on wildlife resources.
3. Mitigation measures have been included in this project, to reduce environmental impacts to a less than significant level. A Mitigation Monitoring Reporting Program has been prepared and full compliance with the report shall be a condition of approval of any future development projects on the site.
4. Public notice of hearing and adoption has been given by mail to the applicant, local affected agencies and to all property owners within 300ft of the subject property, and has been published in the West County Times in accordance with the requirements of Government Code Section 65090, and California Code of Regulation Section 15072.

5. The proposed Regulating Plan is necessary to plan for future growth in the City of San Pablo, and will not be detrimental to the health, safety, peace, morals, comfort and general welfare of the city.
6. The proposed Regulating Plan is consistent with the policies of the General Plan.
7. The proposed Regulating Plan contains urban design and development standards that will result in harmonized development within the project site.

BE IT RESOLVED that the City Council hereby adopts a Mitigation Monitoring and Reporting Program for the Project, in the form of Attachment C hereto, which is hereby incorporated into the conditions of approval, and identifies the potentially significant impacts of the Project and the corresponding mitigation measures, and designates responsibility for implementing and monitoring the implementation of such mitigation measures; and

BE IT ALSO RESOLVED that the Planning Division of the City of San Pablo at their office at 13831 San Pablo Avenue, San Pablo, California, 94806, are hereby designated as custodians of the documents and record of proceedings on which these decisions are based; and

BE IT FURTHER RESOLVED that the foregoing recitations are true and correct, and are included herein by reference as findings.

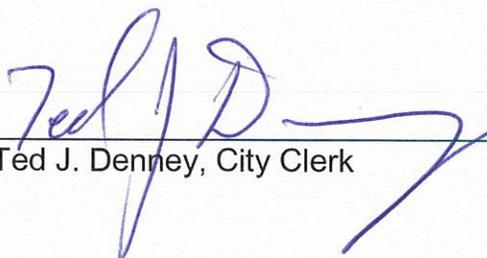
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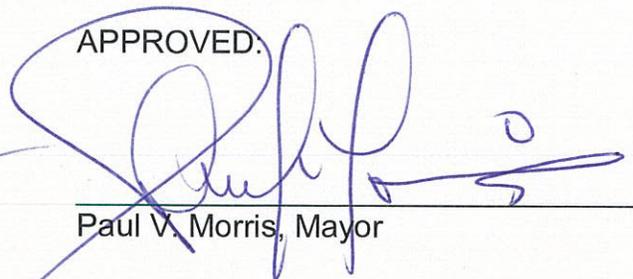
ADOPTED this 17<sup>th</sup> day of October, by the following vote to wit:

|          |                 |                                     |
|----------|-----------------|-------------------------------------|
| AYES:    | COUNCILMEMBERS: | McNeil, Valdez, Calloway and Morris |
| NOES:    | COUNCILMEMBERS: | None                                |
| ABSENT:  | COUNCILMEMBERS: | Cruz                                |
| ABSTAIN: | COUNCILMEMBERS: | None                                |

ATTEST:

APPROVED:

  
 Ted J. Denney, City Clerk

  
 Paul V. Morris, Mayor