

New Series

ADOPTING INITIATIVE MEASURE TO AMEND CITY OF ALAMEDA GENERAL PLAN INCLUDING THE 2007-2014 HOUSING ELEMENT AND THE ZONING ORDINANCE TO CLASSIFY APPROXIMATELY 3.899 ACRES OF LAND ADJACENT TO MCKAY AVENUE TO OPEN SPACE

The City Council of the City of Alameda finds and declares as follows:

WHEREAS, the 3.899 acre portion of Alameda County Assessor's Parcel No. 74-1305-026 (the "Property") is currently zoned for residential development and its General Plan designation is Medium Density Residential; and

WHEREAS, on February 10, 2014, a Notice of Intent to Circulate a Petition ("Petition") was filed in the Alameda City Clerk's Office for a measure seeking to amend the City's General Plan, including the 2007-2014 Housing Element and the Zoning Ordinance to classify the Property as open space (the "Initiative"); and

WHEREAS, on February 25, 2014, the City Attorney transmitted a Title and Summary to the Initiative proponents and on April 30, 2014, the Petition was filed with the City Clerk and transmitted to the County Registrar of Voters to examine the signatures; and

WHEREAS, based on a random sample examination, the County Registrar determined that the Petition contained sufficient valid signatures; and

WHEREAS, pursuant to the Election Code Section 9215, if an initiative is signed by not less than ten percent of the voters of the City, the legislative body (City Council) shall do one of the following:

- (a) Adopt the ordinance, without alteration, at the regular meeting at which the certification of the petition is presented, or within 10 days after it is presented.
- (b) Submit the ordinance, without alteration, to the voters pursuant to subdivision (b) of Section 1405, unless the ordinance petitioned for is required to be, or for some reason is, submitted to the voters at a special election pursuant to subdivision (a) of Section 1405.
- (c) Order a report pursuant to Section 9212 (the "Impacts Report") at the regular meeting at which the certification of the Petition is presented. When the Impacts Report

is presented to the City Council, the City Council shall either adopt the ordinance within 10 days or order an election pursuant to subdivision (b); and

WHEREAS, the City Council held a public hearing on June 3, 2014 to consider various options pertaining to the Initiative and at the same hearing the Council directed staff to prepare an Impacts Report and present the Impacts Report to the City Council within 30 days; and

WHEREAS, on July 1, 2014, the City Council received the Impacts Report analyzing the impacts of the Initiative; and

WHEREAS pursuant to the Election Code Section 9215 (a), the City Council has the option to adopt the Initiative by ordinance; and

WHEREAS, on July 1, 2014, the City Council introduced an ordinance to adopt the Initiative to change the General Plan designation of the Property from Medium Density Residential to Parks and Public Open Space and change the zoning on the Property to Open Space.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Alameda that:

Based on the Certification of the Registrar of Voters of the County of Alameda, the City Council finds that the "Initiative Measure to Amend City of Alameda General Plan Including the 2007-2014 Housing Element and the Zoning Ordinance to Classify Approximately 3.899 acres of Land Adjacent to McKay Avenue as Open Space" ("Initiative") has been signed by not less than 10 percent of the voters of the City.

The City Council hereby adopts without alteration~~approves~~ the Initiative, attached hereto as Exhibit "A" and incorporated herein.

The City Council hereby authorizes staff to incorporate the provisions of the Initiative into the General Plan, including the Housing Element, and the Zoning Ordinance, as appropriate, and to make such other corresponding changes as are necessary to implement the Initiative.

This Ordinance shall be in full force and effect from and after the expiration of thirty (30) days from the date of its final passage.

Presiding Officer of the City Council

Attest:

Lara Weisiger, City Clerk

* * * * *

I, the undersigned, hereby certify that the foregoing Ordinance was duly and regularly adopted and passed by Council of the City of Alameda in regular meeting assembled on the 1th day of July, 2014, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 2nd day of July, 2014.

Lara Weisiger, City Clerk
City of Alameda