

RESOLUTION NO. 2016-16

**A RESOLUTION OF THE CITY OF HOLLISTER CITY COUNCIL ADOPTING A
MITIGATED NEGATIVE DECLARATION FOR PREZONE 2013-2
(GONZALEZ AND BORELLI)**

WHEREAS, Fernando Gonzalez and Frank Borelli ("the applicants") submitted an application for Prezone 2013-2 to prezone for annexation 37.28 acres to Medium Density Residential Performance Overlay zoning district located north of Buena Vista Road, between Carnoble Drive and Miller Road, and the property is further identified as Assessor's Parcel Numbers 019-110-031 and 019-120-038; and

WHEREAS, an initial study was prepared for Prezone 2013-2, ("Project") and it was determined that potentially significant impacts from the Project could be reduced to an insignificant level with the incorporation of mitigation measures agreed to by the applicant into the project and that a Mitigated Negative Declaration could be prepared; and,

WHEREAS, the Mitigated Negative Declaration for Prezone 2013-2 was circulated from December 11, 2015 to January 11, 2016 to the Association of Monterey Bay Area Governments, the State Clearinghouse, and local agencies; and

WHEREAS, all federal, state, and local requirements must be met with any proposed project within Prezone 2013-2; and

WHEREAS, the Planning Commission held a duly noticed public hearing on January 28, 2016, to consider the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, staff reports, and to hear and consider written and oral comments and approved Planning Commission Resolution 2016-4 recommending to the City Council the approval of the Mitigated Negative Declaration; and

WHEREAS, the City Council held a duly noticed public hearing on February 16, 2016, to consider the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, staff reports, and to hear and consider written and oral comments; and

WHEREAS, after considering written and oral comment, the City of Hollister City Council deliberated and determined to adopt the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting program; and

WHEREAS, the Initial Study and Mitigated Negative Declaration and the Mitigation Monitoring Program are in compliance with the provisions of the California Environmental Quality Act; and

WHEREAS, pursuant to Section 711.4 of the Fish and Game Code, a de minimis finding cannot be made for the proposed project and the applicant shall be required to pay Fish and Game fees when the Notice of Determination is filed.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Hollister hereby adopts the following findings:

1. The Mitigated Negative Declaration for Prezone 2013-2 evaluated the impacts of the proposed projects.
2. The City Council has reviewed and considered the information contained in the Mitigated Negative Declaration, Mitigation Monitoring Program and based on the whole record before the Council, including the initial study and any comments received, that there is not substantial evidence that the Project will have a significant effect on the environment.
3. The Mitigated Negative Declaration and the Mitigation, Monitoring and Reporting Program comply with the California Environmental Quality Act, the State CEQA Guidelines, and the City of Hollister CEQA process.
4. The proposed mitigated negative declaration reflects the City of Hollister's independent judgment and analysis.
5. The mitigation measures contained in the Mitigation Monitoring and Reporting Program were agreed to by the applicant and are adequate to reduce the impacts of the project on the physical environment to a less than a significant level.
6. The document and other materials that constitute the record of the proceedings on which the City's determinations are based are located at the City of Hollister Development Services Department, 339 Fifth Street, Hollister California 95023, (831) 636-4360

BE IT FURTHER RESOLVED, that the City Council hereby adopts the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for Pre-zone 2013-2.


PASSED AND ADOPTED, by the City Council of the City of Hollister at a regular meeting held this 16th day of February, 2016, by the following vote:

AYES: Council Members Gomez, Friend, and Luna.

NOES: None.

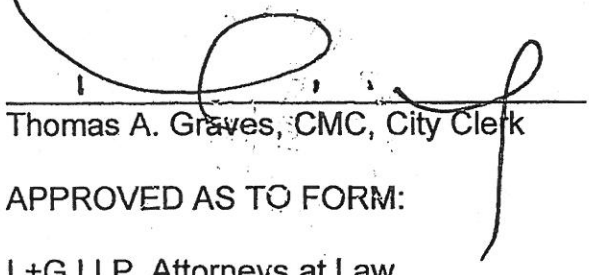
ABSTAINED: None.

ABSENT: Council Member Klauer and Mayor Velazquez.



Ignacio Velazquez, Mayor

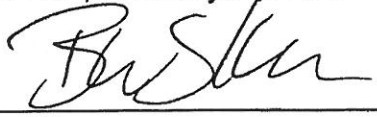
ATTEST:



Thomas A. Graves, CMC, City Clerk

APPROVED AS TO FORM:

L+G LLP, Attorneys at Law



City Attorney

DUPLICATE OF ORIGINAL
ON FILE IN THE
OFFICE OF THE CITY CLERK
CITY OF HOLLISTER