

RESOLUTION NO. 18-07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND, CALIFORNIA  
UPHOLDING THE APPEAL BY KEVIN HAMPTON AND  
APPROVING THE VARIANCE APPLICATIONS  
(V-1103335, 1103336, 1103337, 1103338)  
FOR

YORK STREET, RICHMOND, CA.  
ASSESSOR'S PARCEL 561-151-030

CHERRY STREET, RICHMOND, CA.  
ASSESSOR'S PARCEL 561-232-030

DUBOCE AVENUE, RICHMOND, CA.  
ASSESSOR'S PARCEL 561-261-019

YORK STREET, RICHMOND, CA.  
ASSESSOR'S PARCEL 561-151-027

\*\*\*\*\*

WHEREAS on August 31, 2006, Kevin Hampton submitted an application seeking a variance from the minimum lot width and lot size required to build single-family residential structures on four undeveloped lots located on **York Street, Cherry Street, and Duboce Avenue in Richmond, California**, further identified as **Assesor's Parcels 561-151-030, 561-232-030, 561-261-019, and 561-151-027**; and

WHEREAS on December 7, 2006, the Planning Commission of the City of Richmond, California held a duly noticed public hearing to consider the variance and the applicant's testimony, and voted unanimously to deny the variance request with prejudice; and

WHEREAS on December 15, 2006, Kevin Hampton filed a timely appeal of the Planning Commission's action asserting that the Planning Commission's decision was in error because the Planning Commission has consistently granted the same type of variances to minimum lot width and size for other similar properties over the last four years; and

WHEREAS on January 23, 2007, City Council of the City of Richmond, California held a duly noticed public hearing to consider the merits of the project and appeal, and hear testimony in favor of, and in opposition to, the project; and

WHEREAS, following the public hearing and based upon all oral and written information presented at or before the hearing, the City Council does find and resolve as follows:

**SECTION I: FINDINGS**

- I. The requested variances are Categorically Exempt from the requirements of the California Environmental Quality Act, per Section 15303 because they would allow the construction of a single family home on each subject property which would not result in significant adverse environmental effects; and
- II. Over the past four years, the Planning Commission has granted several variances to develop substandard lots within the immediate vicinity of the of the subject properties, therefore the Council finds that denying the variances would deprive the owner of the properties of privileges enjoyed by owners of other properties in the vicinity where the properties are located; and
- III. The variances will not be detrimental or injurious to the property or improvements in the vicinity of the subject property, or to the public health, safety or general welfare because, on each subject property, the applicant proposes to enhance the neighborhood quality of life by removing existing blight and developing single-family residences that are consistent with the existing neighborhood development pattern; and
- IV. The variances to allow construction of single-family residential structures are consistent with the purpose of the Richmond Zoning Ordinance and help to implement the following goals and policies of the Richmond General Plan;

- A. General Plan Goal HG-A to “make decent, safe, and affordable housing available to all existing and future Richmond residents;” and
  - B. General Plan Goal HG-B to “make available a wide range of housing types and residential densities to meet the needs of all age groups, income levels, and household sizes within the city's population;”
  - C. General Plan Goal ED-1.2 to “revitalize the City's central residential areas through rehabilitation and infill development in order to increase the available housing stock in close proximity to places of work and transportation facilities;” and
  - D. General Plan Goal LU-K to “meet future housing needs within the existing Planning Area through infill development already served by community facilities, utilities and transportation systems;” and
  - E. General Plan Goal LU-K.3 to “retain, to the extent practical, the grain of existing single-family residential neighborhoods by encouraging small-scaled infill projects that avoid disruption of the existing fabric;” and
  - F. General Plan North Richmond Area Specific Guideline #9 to “encourage completion of infill development in the North Richmond area.”
- V. The variances will not authorize a use which is not authorized by the zoning district in which the subject properties are located. The variances authorize the construction of single-family residences which are permitted uses in the Single-family (SFR-3) Low Density Residential Zoning District in which the subject properties are found.

## **SECTION II: RESOLUTION**

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Richmond, California hereby reverses the Planning Commission's action and approves Variance Applications V-1103335, V-1103336, V-1103337, and V-1103338 as described in and subject to the conditions set forth in the Planning Commission staff report dated December 7, 2006, attached hereto and incorporated herein by reference.

-----  
I certify that the foregoing resolution was passed and adopted by the City Council of the City of Richmond, California at a meeting held on February 20, 2007, by the following vote:

Ayes: Councilmembers Bates, Butt, Lopez, Marquez, Rogers, Sandhu, Thurmond, Viramontes, and Mayor McLaughlin

Noes: None

Abstentions: None

Absent: None

DIANE HOLMES  
Clerk of the City of Richmond

[SEAL]

Approved:

GAYLE McLAUGHLIN  
Mayor

Approved as to Form:

JOHN EASTMAN  
City Attorney

State of California            }  
County of Contra Costa       : ss.  
City of Richmond             }

I certify that the foregoing is a true copy of Resolution No. 18-07, finally passed and adopted by the Council of the City of Richmond at a meeting held on February 20, 2007.