

**WALNUT CREEK CITY COUNCIL  
RESOLUTION NO. 11-48**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WALNUT CREEK  
ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION  
MONITORING PROGRAM FOR THE WALNUT CREEK BICYCLE PLAN**

**Section 1. Background and Findings.**

1. On August 2, 2011, the City Council held a public hearing to review and consider a resolution to adopt the Walnut Creek Bicycle Plan and a resolution to approve a General Plan Amendment to implement the Walnut Creek Bicycle Plan ("Project").
2. The City, as lead agency, has determined that approval and implementation of the Project constitutes a "Project" as defined by the California Environmental Quality Act ("CEQA") (Cal. Pub. Res. Code § 21000 *et seq.*) and CEQA Guidelines (14 Cal. Code Regs. § 15000 *et seq.*).
3. During the initial processing of the Project, the City determined that the Project could have a potentially significant effect on the environment unless mitigation was incorporated, requiring the preparation of a Mitigated Negative Declaration ("MND"). Accordingly, City staff prepared an Initial Study and Mitigated Negative Declaration pursuant to CEQA and the CEQA Guidelines. The Initial Study and MND, which are included as Attachment 6 in the Agenda Report that accompanies this Resolution and incorporated by this reference as if fully set forth herein, comprise the "MND and Mitigation Monitoring Program" referenced in these findings.
4. On July 14, 2011, the Walnut Creek Planning Commission held a public hearing to review and consider the Walnut Creek Bicycle Plan, a General Plan Amendment to replace the existing Bicycle Facilities Map in *General Plan 2025* with a new map, and MND and Mitigation Monitoring Program prepared for the Walnut Creek Bicycle Plan and to provide recommendations to the Walnut Creek City Council. After receiving public testimony and considering the proposed MND, the Planning Commission adopted Planning Resolution No. 3565, recommending approval of the Walnut Creek Bicycle Plan, General Plan Amendment and adoption of the MND and Mitigation Monitoring program to the City Council. The Planning Commission also provided certain recommendations and comments to the City Council for consideration.
5. On June 30, 2011, a Notice of Intent to adopt a Mitigated Negative Declaration was filed at the Contra Costa County Clerk's office, mailed to interested parties including Contra Costa Transportation Authority, TRANSPAC, neighboring jurisdictions, and CalTrans, posted in the Contra Costa Times newspaper, and posted at the Walnut Creek City Hall for a 21-day public review and comment period that ended on July 21, 2011.
6. The MND concluded that the proposed Project incorporates appropriate measures associated with biological resources, cultural resources, and transportation/traffic to avoid or reduce potential impacts to a less-than-significant level and accordingly, that there is no substantial evidence that the Project will have a significant effect on the environment.
7. On December 15, 2009, the Walnut Creek City Council held a study session on the draft Bicycle Plan and provided recommendations and comments to staff.

- 8. The following study sessions were publicly noticed and held to provide input on the Administrative Draft Bicycle Plan: Transportation Commission (August 20, 2009); Planning Commission (October 15, 2009); Parks, Recreation, and Open Space Commission (December 9, 2009); and City Council (December 15, 2009). Various stakeholders, including bicycle advocates, Walnut Creek residents and other interested persons also attended these meetings and provided comments on the Administrative Draft Plan.
- 9. On August 13, 2009, the draft Bicycle Plan (then called “Walnut Creek Bicycle Master Plan”) was prepared and released for public review in August 2009.
- 10. The Walnut Creek Bicycle Plan is consistent with *General Plan 2025*, Chapter 5, Action 5.1.1 which calls for the development of a Bicycle Master Plan with measurable objectives for the City of Walnut Creek. *Walnut Creek General Plan 2025* also contains a Bicycle Facility Map (Chapter 5, Figure 4) which reflects new and proposed facilities as part of the City’s long-term goal to accommodate bicycle use.
- 11. The documents and other material that constitute the record of proceedings upon which this decision is based are maintained in the Community Development Department of City Hall, at 1666 N. Main St., Walnut Creek.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WALNUT CREEK CITY COUNCIL DOES HEREBY RESOLVE AS FOLLOWS:**

**Section 2. Decision.**

- 1. The Walnut Creek City Council has considered the proposed MND and Mitigation Monitoring Program together with all comments received during the public review process. The Council finds on the basis of the whole record before it (including the Initial Study and all comments received) that there is no substantial evidence that the Project will have a significant effect on the environment and that the MND reflects the City Council’s independent judgment and analysis.
- 2. The City Council adopts the MND and Mitigation Monitoring Program for the Project.
- 3. The Planning Manager is directed to file a Notice of Determination with the County Clerk, pursuant to CEQA Guidelines section 15075, within five working days of the date this Resolution is approved.

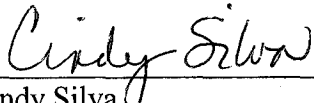
**Section 3. Effective Date.**

This resolution shall take effect immediately.

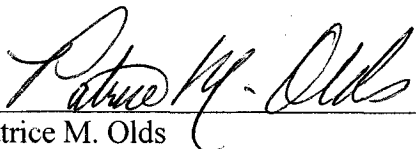
**PASSED AND ADOPTED** by the City Council of the City of Walnut Creek at a regular meeting thereof held on the 2<sup>nd</sup> day of August 2011, by the following called vote:

AYES:	Councilmembers:	Rajan, Simmons, Skrel, Mayor Silva
NOES:	Councilmembers:	None

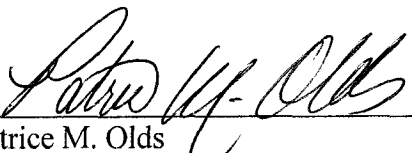
ABSENT: Councilmembers: Lawson

  
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Cindy Silva  
Mayor of the City of Walnut Creek

Attest:

  
\_\_\_\_\_  
Patrice M. Olds  
City Clerk of the City of Walnut Creek

**I HEREBY CERTIFY** the foregoing to be a true and correct copy of Resolution No.11-48, duly passed and adopted by the City Council of Walnut Creek, County of Contra Costa, State of California, at a regular meeting of said Council held on the 2<sup>nd</sup> day of August 2011.

  
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Patrice M. Olds  
City Clerk of the City of Walnut Creek