

TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION

FROM: RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: MISCELLANEOUS 09-003, DETERMINATION OF CONSISTENCY WITH THE GENERAL PLAN FOR CITY INITIATED PROPERTY ACQUISITIONS ALONG THE SALINAS RIVER CORRIDOR AND UPLAND AREAS - APNS 009-631-003, 009-631-004, 009-811-04, AND 009-302-01

DATE: AUGUST 11, 2009

Needs: For the Planning Commission to report to the City Council that the subject acquisitions of property would be consistent with the General Plan.

- Facts:**
1. The City has received a State Clean Water Grant to purchase land in and along the Salinas River for preservation and restoration of the watershed.
 2. The main objective of the acquisition is to: restore degraded land that has been subjected to erosive activities and problems with water quality from storm water runoff, and to improve the quality of the riparian habitat along the river. Long term use will be public open space and associated uses, including trails and other passive recreational activities.
 3. A map showing the location and configuration of the subject properties is provided in Attachment 1.
 4. Section 65402 of the California Government Code (Planning Zoning and Development Laws) provides for the Planning Commission to report on proposals for the City to acquire or dispose of property.
 5. The General Plan designates three of the properties as Parks and Open Space/Business Park, and one property as Parks and Open Space/Commercial Service; all properties are designated within the Salinas River Overlay.
 5. According to the Zoning Code, parks and other public recreational uses are permitted uses for these properties.
 6. The determination that the property acquisitions are consistent with the City General Plan is exempt from environmental review under the California Environmental Quality Act, per section 15061(b)(3).

Analysis and

Conclusion: The Planning Commission's role is to determine whether the proposed property acquisitions are consistent with the City's General Plan. The City's General Plan has numerous policies in support of and directing the City to pursue preservation of open space and viewsheds, particularly in the Salinas River area. There are also policies related to water quality and flood control benefits that can be achieved through good management of Salinas River resources. The following are a sampling of General Plan policies that would support and be consistent with the City pursuing acquisition of the subject properties.

POLICY LU- 2E: “Purple Belt” (Open Space/Conservation Areas Around the City). Create a distinct “Purple Belt” surrounding the City by taking actions to retain the rural, open space, and agricultural areas.

Action Item 3. Develop strategies for pursuing federal, state, and private funding for the Open Space/Purple Belt plan/program.

GOAL OS-1: Preserve/expand the amount and quality of open space in and around Paso Robles.

POLICY OS-1A: Open Space/Purple Belt. Develop an open space plan/program for establishing an open space/ purple belt (agricultural preserve area) surrounding the City.

Action Item 1. This plan/program is to address the following:

- Open space acquisition
- Acquisition priorities
- Maintenance and Monitoring of City-owned open space areas

Action Item 2. Reserve easements for public access, preferably trail access, to large units of public land.

Action Item 8. Investigate and implement as appropriate and feasible with San Luis Obispo County, establishment of permanent agricultural and open space areas that buffer communities from continuous urbanization and promote efficient growth patterns.

POLICY C-1C: Storm Drainage. Provide storm drain systems that efficiently and safely mitigate flood risk, while effectively conveying run-off to the Salinas River and Huerhuero Creek.

Conduct floodplain acquisition, flood control projects, and recharge programs to accommodate increased runoff from new development. These programs should be funded by developers, at rates proportional to the projected increase in runoff associated with their developments.

As noted above, the properties are designated with a Salinas River Overlay. The purpose of the land use description for the Salinas River Overlay states, “This overlay category is established to ensure that development along the Salinas River corridor addresses conservation, access, and recreational opportunities. Development within this overlay is subject to special review for standards related to conservation, access and recreational opportunities along the Salinas River corridor. A Salinas Corridor Plan will be developed as a separate program.” The property acquisition for public open space, access and recreational opportunities would therefore be consistent with the intent of the applicable land use designation of the General Plan.

It would appear that the General Plan is not in conflict with these property acquisitions for public use of these properties in the future. Specific future uses of these properties will be the subject of a separate environmental review.

Policy

Reference: California Environmental Quality Act, City of Paso Robles General Plan, 2003, California Government Code

Fiscal

Impact: The determination of consistency for acquisition of these properties could not result in fiscal impacts.

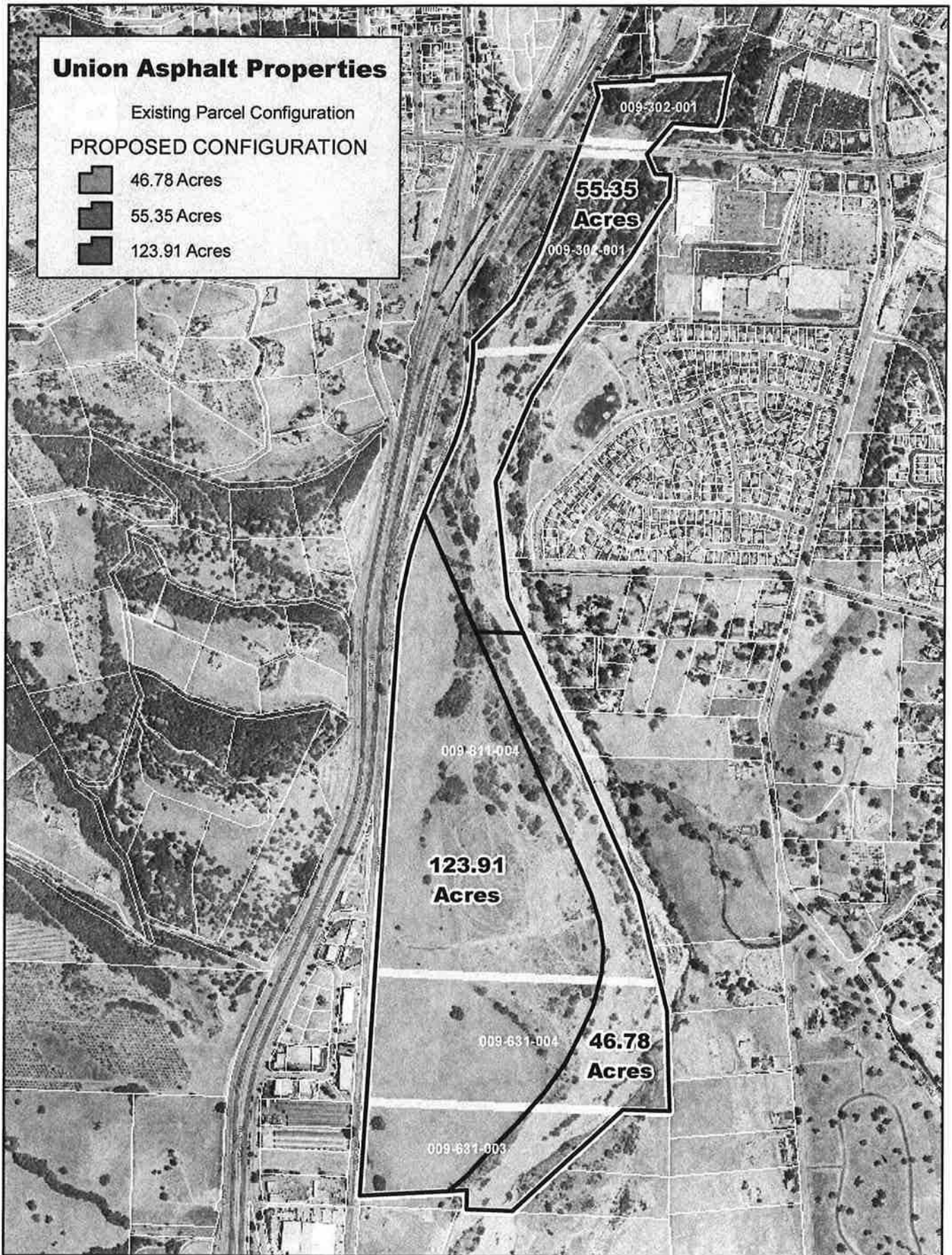
Options: After opening the public hearing and taking public testimony, the Planning Commission is requested to consider the following options:

- a. Approve the attached Resolution which would report to the City Council that the acquisition of the subject properties would be consistent with the General Plan.
- b. Amend, modify, or reject the foregoing option.

Prepared By: Susan DeCarli, AICP, City Planner

Attachments:

1. Property Location Maps
2. Resolution Reporting on Consistency with the General Plan
3. Newspaper and Mail Notices



Triple P, LLC Property Alternative 1A, 1B, & Remainder (upland area)

RESOLUTION NO.

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PASO ROBLES
REPORTING ON CONSISTENCY FOR THE ACQUISITION OF PROPERTIES
LOCATED ALONG THE SALINAS RIVER CORRIDOR AND UPLAND AREAS
APNS 009-631-003, 009-631-004, 009-811-04, AND 009-302-01**

WHEREAS, the City of Paso Robles proposes to purchase properties located along the Salinas River and upland area (APNs 009-631-003, 009-631-004, 009-811-04, AND 009-302-01) for the purpose of: restoring degraded land that has been subjected to erosive activities and problems with water quality from storm water runoff, and to improve the quality of the riparian habitat along the river; and

WHEREAS, the City of Paso Robles has also identified future use of the property for public open space and associated uses, including trails and other passive recreational activities; and

WHEREAS, Section 65402 of the Government Code provides that the Planning Commission must be requested to report on whether or not a proposed purchase of property would be in conflict with the City's General Plan; and

WHEREAS, on August 11, 2009 the Planning Commission considered the subject property in relation to the City's General Plan; and

WHEREAS, based on evaluation of the proposed purchase of properties, and the City's General Plan Land Use, Conservation and Open Space Elements, the purchase of these properties would not be in conflict with the City's General Plan.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of Paso Robles, based on its independent judgment, does hereby report to the City Council that this acquisition of properties located along the Salinas River and upland area (APNs 009-631-003, 009-631-004, 009-811-04, AND 009-302-01) would be consistent with the City's General Plan.

PASSED AND ADOPTED by the Planning Commission of the City of Paso Robles this 11th day of August, 2009 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

CHAIRMAN TREATCH

ATTEST:

RON WHISENAND, PLANNING COMMISSION SECRETARY

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL
PROJECT NOTICING

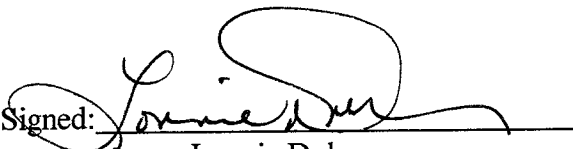
Newspaper: Tribune

Date of Publication: July 31, 2009

Hearing Date: August 11, 2009
(Planning Commission)

Project: Miscellaneous 09-003 – City Project
(General Plan Consistency Salinas River
Corridor Property Acquisition)

I, Lonnie Dolan, employee of the Community Development Department, Planning Division, of the City of El Paso de Robles, do hereby certify that this notice is a true copy of a published legal newspaper notice for the above named project.

Signed: 
Lonnie Dolan

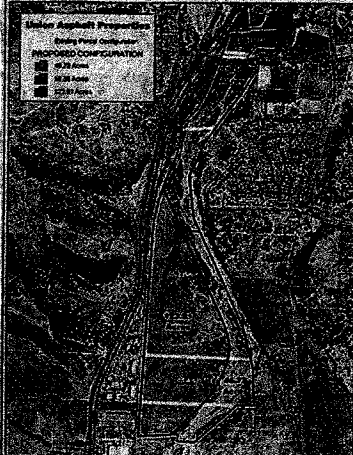
forms/newsaffi.691

Attachment 3
Notices

CITY OF PASO ROBLES
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will hold a Public Hearing on Tuesday, August 11, 2009, at 7:30 p.m. in the Conference Center/City Council Chambers (First Floor) at the Paso Robles Library/City Hall, 1000 Spring Street, Paso Robles, California. The Planning Commission will consider making a General Plan consistency finding for acquisition of properties in the following description.

The City of Paso Robles proposes to purchase four properties (226 acres) located within the Salinas River corridor and upland river area (see property vicinity map). APNs 009-631-003, 009-631-004, 009-811-004, and 009-302-001. The property purchases are intended for use as public open space and associated uses.



This activity is exempt from the California Environmental Quality Act, per Section 15061(b)(3). Written comments on the Staff Report may be mailed to the Community Development Department, City Hall, 1000 Spring Street, Paso Robles, CA 93446, provided that comments are received prior to the time of public hearing. Oral comments may be made at the hearing. Should you have any questions regarding this project, please contact either Susan DeCarl, City Planner or Meg Williamson, Assistant City Manager at (805) 237-3970.

If you challenge the action of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at the public meeting described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public meeting described herein.

Susan DeCarl, AICP
City Planner
July 31, 2009

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