

**TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION**

**FROM: RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR**

**SUBJECT: MISC. 10-003, DETERMINATION OF CONSISTENCY WITH THE GENERAL PLAN (APN 009-093-049)**

**DATE: SEPTEMBER 14, 2010**

**Needs:** For the Planning Commission to report to the SLO County Board of Supervisors that the subject property is consistent with the General Plan.

- Facts:**
1. The County owns property within the City of Paso Robles, where the prior County courthouse was located at 549 10<sup>th</sup> Street
  2. The County anticipates disposing of the subject property, and using the proceeds to help pay costs of the new County courthouse.
  3. Prior to initiating the process to dispose of property the Planning Commission must make a determination that the property is consistent with the General Plan.
  4. Section 65402 of the California Government Code (Planning Zoning and Development Laws) provides for the Planning Commission to report on such matters. In this situation, since the property is owned by the County the report would be directed to the County Board of Supervisors.
  5. The General Plan designation is Public Facilities (PF). The existing building and designation allows for a range of facilities and uses that can operate at this location. The prior government office use and the existing building is consistent with the Public Facilities land use designation of the General Plan.
  6. The determination that the property acquisition is 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 property proposed for future sale by the County is consistent with the City's General Plan. The existing improvements on the property allow for many different types of civic uses consistent with the intent of the PF land use designation. Therefore, the property is consistent with the land use designation of the General Plan.

Additionally, the City is presently preparing a Specific Plan that will affect the future land uses allowed and regulations that apply to this property. The intended Specific Plan designation and zone is "T4 Flex Zone" (T4-F). This designation will allow for a mix of uses, including offices, public facilities, services, retail and residential. Therefore, the future modification to the regulations affecting this property will not conflict with the existing uses and land use designation of the property.

Future use of the property would need to comply with building and zoning regulations in affect at the time new use of the property is proposed.

**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 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 County Board of Supervisors that the subject property is consistent with the General Plan.
- b. Amend, modify, or reject the foregoing option.

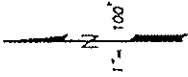
**Prepared By:** Susan DeCarli, AICP, City Planner

**Attachments:**

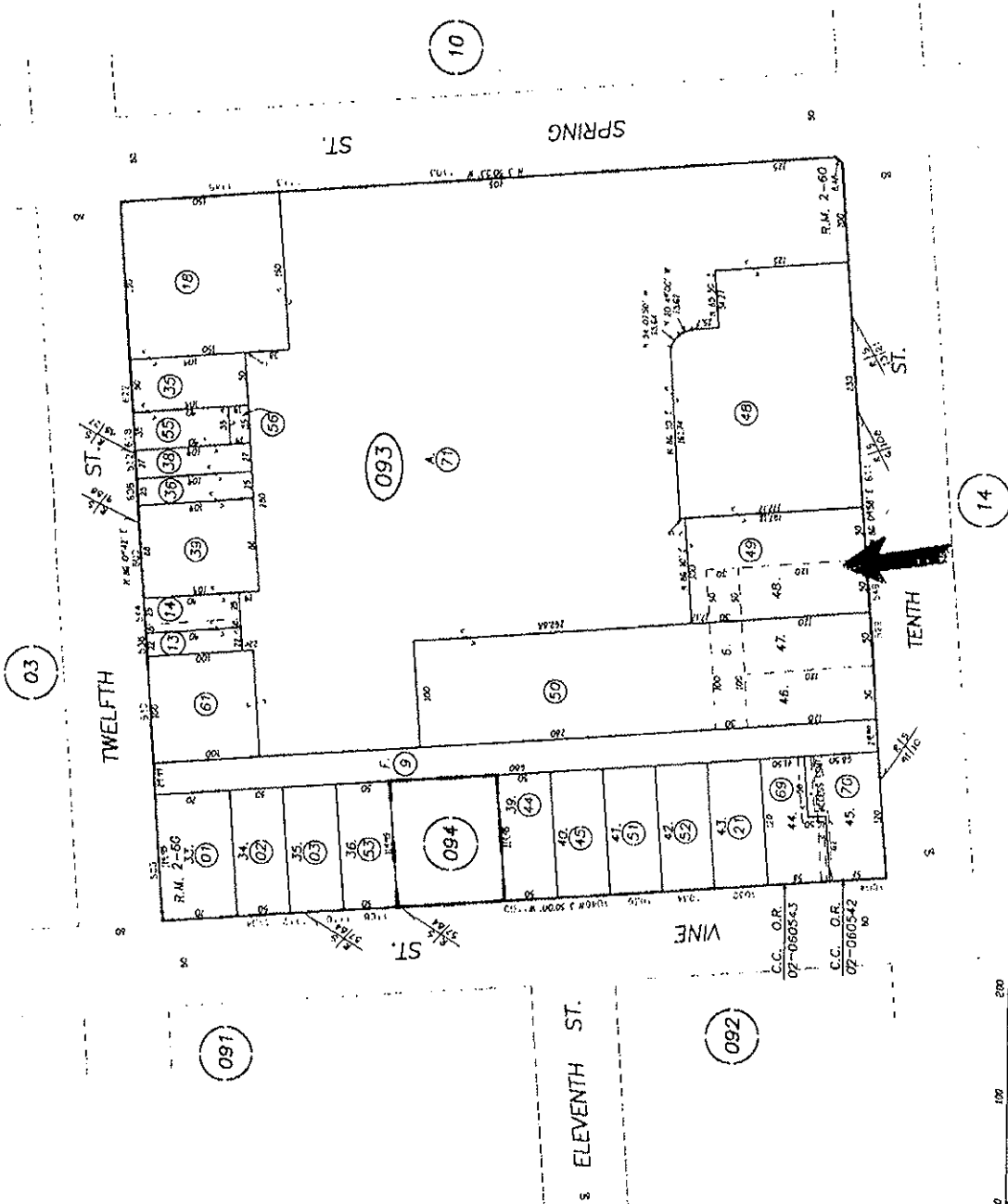
1. Property Location Map
2. Resolution Reporting on Consistency with the General Plan
3. Newspaper and Mail Notices

# Attachment 1 Property Location Map

009-093



CITY OF PASO ROBLE:  
ASSESSOR'S MAP, COUNTY OF  
SAN LUIS OBISPO, CA.  
BOOK 009 PAGE 093



SPRINGS HOTEL TRACT, R.M. Bk. 2, Pg. 60

REVISIONS	DATE
1	04-25-06
2	12-16-06

0 100 200  
 THIS MAP IS PREPARED FOR  
 ASSESSMENT PURPOSES ONLY

**RESOLUTION NO.**

**A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF PASO ROBLES  
REPORTING ON CONSISTENCY WITH THE GENERAL PLAN  
FOR PROPERTY LOCATED AT 549 10<sup>th</sup> STREET  
APN 009-093-049**

**WHEREAS**, the County of San Luis Obispo proposes to dispose of property located at 549 10<sup>th</sup> Street (APN 009-093-049) for the purpose of using the proceeds toward the cost of the new County courthouse; and

**WHEREAS**, the property is currently improved with an existing permanent office building, a modular office structure and parking lot; and

**WHEREAS**, the General Plan land use designation for the subject property is Public Facilities (PF), and the existing improvements are consistent with land uses that may occupy the property in the future; and

**WHEREAS**, future use of the property would need to comply with building and zoning regulations in affect at the time new use of the property is proposed; and

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

**WHEREAS**, on September 14, 2010 the Planning Commission considered the subject property in relation to the City's General Plan; and

**WHEREAS**, based on evaluation of the property, and the City's General Plan Land Use designation of Public Facilities, the disposal/sale of this property 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 County Board of Supervisors that this disposal of property located 549 10<sup>th</sup> Street (APN 009-093-049) would be consistent with the City's General Plan, provided future use of the property is consistent with the City's General Plan and Zoning Regulations.

**PASSED AND ADOPTED** by the Planning Commission of the City of Paso Robles this 14<sup>th</sup> day of September, 2010 by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

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CHAIRMAN PETERSON

ATTEST:

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RON WHISENAND, PLANNING COMMISSION SECRETARY

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL  
PROJECT NOTICING

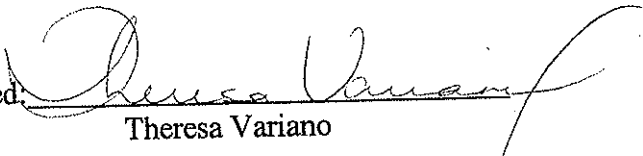
Newspaper: Tribune

Date of Publication: August 27, 2010

Hearing Date: September 14, 2010  
(Planning Commission)

Project: Miscellaneous 10-003  
(GP Conformity)

I, Theresa Variano, 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:   
Theresa Variano

forms/newsaffi.691

**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, September 14, 2010, 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 report to the SLO County Board of Supervisors for surplus property.

Application: Miscellaneous 10-003. In accordance with California Government Code Section 25426, the Paso Robles Planning Commission will be requested to make a report to the County Board of Supervisors that surplus property owned by the County at 549 10th Street, Paso Robles, intended for future sale is consistent with the Paso Robles General Plan, 2003.

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 Susan DeCarli, Planning 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 DeCarli, AICP  
Planning Manager  
Aug 27, 2010 6904249

**AFFIDAVIT**  
**OF MAIL NOTICES**  
**PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING**

I, Susan DeCarli, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for Miscellaneous 10-003 on this 24th day of August 2010.

City of El Paso de Robles  
Community Development Department  
Planning Division

Signed: Susan DeCarli  
Susan DeCarli