

TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION
FROM: WARREN FRACE, COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: MISC. 15-001, DETERMINATION OF CONSISTENCY WITH THE GENERAL PLAN (APN 008-213-011)
DATE: SEPTEMBER 8, 2015

Needs: For the Planning Commission to recommend to the City Council that the subject property is consistent with the General Plan. The property is owned by a family trust for which Keith Brimhall is the trustee.

- Facts:**
1. In 1999, the City sold a portion of antiquated subdivision (Lots 1-20, B Maps 29, recorded in 1894) along Olive Street, east of and below the 21st Street reservoir site, to Bill Ridino.
 2. Ridino filed a lot line adjustment to create five single family residential parcels. Ridino also applied for abandonment of the 20th Street unimproved right-of-way along the southern boundary of the property.
 3. A culmination of events over the years, including land subdivisions, sales, and street abandonments, has left the remaining 33,000 square foot parcel without reasonable access to a public right-of-way.
 4. Section 65402 of the California Government Code (Planning Zoning and Development Laws) 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.
 5. Section 21151.2 of the Public Resources Code also calls for the Planning Commission to provide a report and recommendation regarding the proposed use of the subject site.
 6. The General Plan designation is Residential Single Family with a density cap of four units (RSF-4). The property is currently vacant.
 7. 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 purchase by the City is consistent with the City's General Plan. The property is located within the hillside district, which prohibits development on natural slopes thirty-five percent or greater. A large portion of the property would be undevelopable under this standard. Although the property is designated as single family residential, there is no public access to the property.

The property is located in the vicinity of a City water reservoir and close to major water transmission lines. It would serve the City's interest as open space to provide a buffer for that portion of the water system.

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 this property will 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 subject property is consistent with the General Plan.
- b. Amend, modify, or reject the foregoing option.

Attachments:

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



RESOLUTION NO: _____

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
REPORTING ON CONSISTENCY WITH THE GENERAL PLAN
AND PROPOSED PROPERTY PURCHASE
(APN: 008-213-011)

WHEREAS, the City of Paso Robles is considering purchase of property located at 19th and Olive Streets; and

WHEREAS, the 33,000 square foot parcel is without access to a public right-of-way; and

WHEREAS, Section 65402 of the Government Code (Planning and Zoning Laws) 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, Section 21151.2 of the Public Resources Code also calls for the Planning Commission to provide a report and recommendation regarding the proposed use of the subject site; and

WHEREAS, the subject property is shown in the City's General Plan as "Single Family Residential"; and

WHEREAS, the current Zoning is Single Family; and

WHEREAS, based upon the facts and analysis presented in the staff report and public testimony received, the Planning Commission makes the following findings:

1. The property proposed for purchase would serve the City's interest as open space to act as a buffer for a portion of the City's water system that includes a City water reservoir and major water transmission lines; and
2. The proposed acquisition will not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the persons residing or working in the vicinity, or be injurious or detrimental to property and improvements in the area or to the general welfare of the City since the property is inaccessible by a public right-of-way; and
3. The property is within the hillside district and a large portion would be undevelopable do to the City's development standards in that district; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby report that purchase of the subject property by the City of Paso Robles would, in judgment of the Planning Commission, not be in conflict with the City's General Plan and would be a reasonable use of the subject property as a buffer for a portion of the City's water system.

PASSED AND ADOPTED THIS 8th day of SEPTEMBER, 2015 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

VINCE VANDERLIP, CHAIRMAN

ATTEST:

WARREN FRACE, SECRETARY OF THE PLANNING COMMISSION

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 the Planning Commission to recommend to the City Council that the property located at APN 008-213-001 is consistent with the General Plan for purchase by the City on this 27th day of August, 2015.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: Susan DeCarli
Susan DeCarli

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL
PROJECT NOTICING

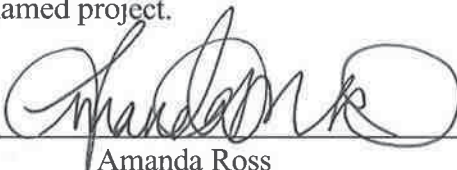
Newspaper: Tribune

Date of Publication: August 29, 2015

Hearing Date: September 8, 2015
(Planning Commission)

Project: MISC 15-001, Paso Robles Planning Commission will be requested to make a report to the City Council that the at (APN 008-213-011) in Paso Robles, intended for future purchase by the City is consistent with the Paso Robles General Plan, 2003.

I, Amanda Ross, 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: 
Amanda Ross

CITY OF EL PASO DE 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, September 8, 2015, at 7:30 p.m. at the City of El Paso de Robles, 1000 Spring Street, Paso Robles, California, in the City Council Chambers, to consider the following project:

Misc.15-001: In accordance with California Government Code Section 25426, the Paso Robles Planning Commission will be requested to make a report to the City Council that the property owned by Keith Brimhall in the neighborhood of 20th and Olive Streets (APN 008-213-002) in Paso Robles, intended for future purchase by the City is consistent with the Paso Robles General Plan, 2003.

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).

The application and staff report may be reviewed at the Community Development Department, 1000 Spring Street, Paso Robles, California. Copies may be purchased for the cost of reproduction. Written comments on the project may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446 or emailed to planning@prcity.com, provided that the comments are received prior to the time of the public hearing. Oral comments may be made at the hearing. Should you have any questions regarding this application, please call Amanda Ross at (805) 237-3970 or by email at aross@prcity.com. If you challenge the project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at or prior to the public hearing.

Amanda Ross Planning Intern August 29, 2015
1933273 **Publish Dates:** 8/29/2015 -9/12/2015