PLANNING COMMISSION Anthony Adams, Chair Angel Borja Albert Enault Jessie Pooni Vinay Tewari

Michael Zeiss



PLANNING COMMISSION MEETING

Second and Fourth Tuesday Every Month

AGENDA

REGULAR MEETING OF THE CITY OF SUISUN CITY PLANNING COMMISSION TUESDAY, OCTOBER 26, 2021 6:30 P.M.

SUISUN CITY COUNCIL CHAMBERS -- 701 CIVIC CENTER BOULEVARD -- SUISUN CITY, CALIFORNIA

NOTICE

Pursuant to Government Code Section 54953, subdivision (b), and in accordance with the provisions of SB 361 (2021), the following Council/Successor Agency/Housing Authority meeting includes teleconference participation by: Council/Board Members Jane Day, Michael Hudson, Wanda Williams, Mayor Pro Tem Alma Hernandez, and Mayor/Chair Lori Wilson. Teleconference locations are on file at City Hall, 701 Civic Center Blvd., Suisun City, CA 94585.

PER CITY POLICY, MEMBERS OF THE PUBLIC ARE REQUIRED TO WEAR FACE MASKS WHILE IN CITY FACILITIES. IF YOU DO NOT HAVE A FACE MASK, ONE WILL BE PROVIDED FOR YOU.

THE PLANNING COMMISSION HAS RESUMED IN-PERSON MEETINGS IN ADDITION TO ZOOM. A LIMITED NUMBER OF SEATS ARE AVAILABLE, TO RESERVE A SEAT PLEASE CONTACT THE CITY CLERK AT clerk@suisun.com OR 707 421-7302.

ZOOM MEETING INFORMATION: WEBSITE: https://zoom.us/join
MEETING ID: 832 0193 7333

CALL IN PHONE NUMBER: (707) 438-1720

TO VIEW TONIGHT'S MEETING ON SUISUN WEBSITE, LIVESTREAM (URL: https://www.suisun.com/government/meeting-video/)

REMOTE PUBLIC COMMENT IS AVAILABLE FOR THE PLANNING COMMISSION MEETING BY EMAILING CLERK@SUISUN.COM (PRIOR TO 6 pm) OR VIA WEBSITE OR PHONE APPLICATION, ZOOM

(If attending the meeting via phone press *9 to raise your hand and *6 to unmute/mute for public comment.)

(Next Resolution No. PC 21–11)

ROLL CALL

Planning Commissioners Pledge of Allegiance Invocation

CONFLICT OF INTEREST NOTIFICATION

(Any items on this agenda that might be a conflict of interest to any Commissioners should be identified at this time.)

REPORTS: (Informational items only.)

1. City Manager/Staff

PRESENTATIONS/APPOINTMENTS

CONSENT CALENDAR

Consent calendar items requiring little or no discussion may be acted upon with one motion.

PUBLIC COMMENTS

(Request by citizens to discuss any matter under our jurisdiction other than an item posted on this agenda per California Government Code §54954.3. Comments are limited to no more than 5 minutes unless allowable by the Chair. Speaker cards are available on the table near the entry of the meeting room and should be given to the Clerk. By law, no prolonged discussion or action may be taken on any item raised during the public comment period, although informational answers to questions may be given and matters may be referred for placement on a future agenda.)

PUBLIC HEARING

2. Resolution PC21-___; A Resolution of the City of Suisun City Planning Commission Amending Conditional Use Permit (PC17-04) at 700 Main Street #106 (Kearns: jkearns@suisun.com).

GENERAL BUSINESS

- 3. Resolution PC21-____; A Resolution of the City of Suisun City Planning Commission Making a Finding of General Plan Conformity for the Future Sale of Real Property Owned by City of Suisun City Housing Authority (APN's 0032-101-420 and 0032-102-160) (Kearns: jkearns@suisun.com).
- 4. Resolution PC21-___; A Resolution of the City of Suisun City Planning Commission Making a Finding of General Plan Conformity for the Future Sale of Real Property Owned by the Successor Agency to the Former Redevelopment Agency of the City of Suisun City (APN's 0032-042-300, 360, 440, 460, 480, 500, 520, 540, 560,580, 600, 680) (Kearns: jkearns@suisun.com).
- 5. Resolution PC 21-___; A Resolution of the City of Suisun City Planning Commission Making a Finding of General Plan Conformity for the Future Sale of Real Property Owned by the Successor Agency to the Former Redevelopment Agency of the City of Suisun City (APN'S 0032-091-170 through 200) (Kearns: jkearns@suisun.com).

REPORTS: (Informational items only.)

- 6. a. Commission Members
 - b. Commission Chairperson

ADJOURNMENT

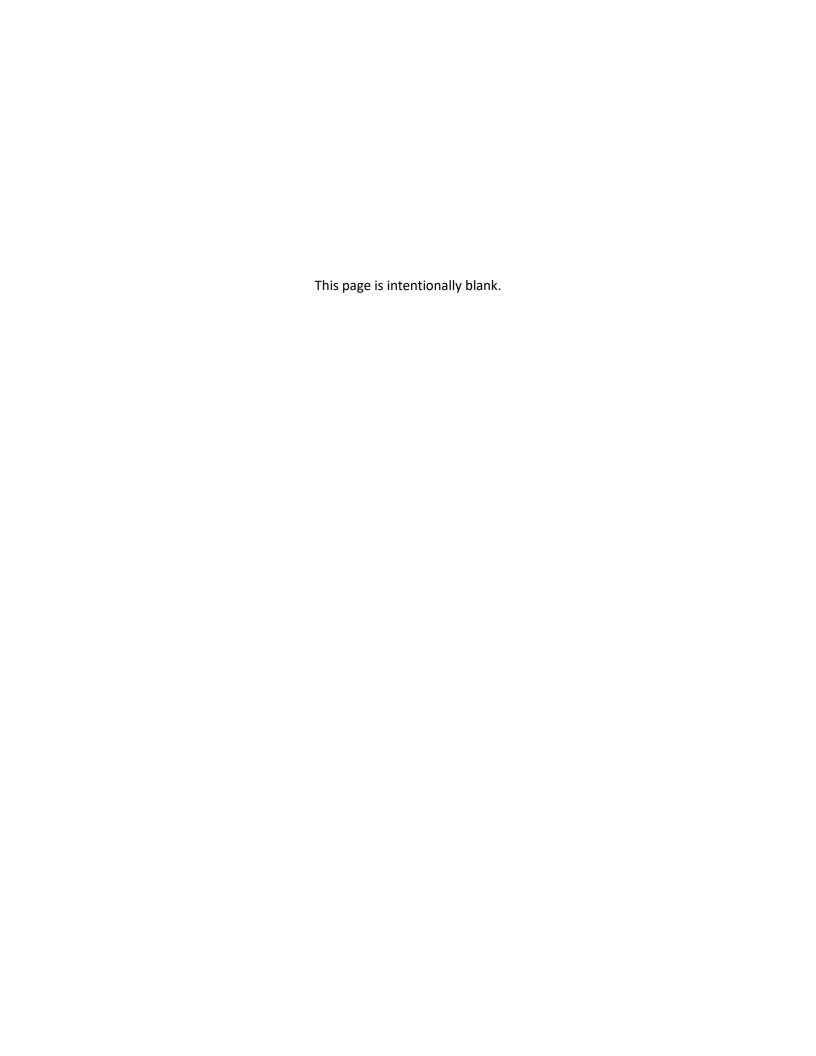
A complete packet of information containing staff reports and exhibits related to each item for the open session of this meeting, and provided to the City Council/Commissions, are available for public review at least 72 hours prior to a Council/Agency/Authority/Commission Meeting at Suisun City Hall 701 Civic Center Blvd., Suisun City. Agenda related writings or documents provided to a majority of the Council/Board/Commissioners less than 72 hours prior to a Council/Agency/Authority/Commission meeting related to an agenda item for the open session of this meeting will be made available for public inspection during normal business hours. An agenda packet is also located at the entrance to the Council Chambers during the meeting for public review. The City may charge photocopying charges for requested copies of such documents. Assistive listening devices may be obtained at the meeting

Page 3

PLEASE NOTE:

- 1. The City Council/Agency/Authority/Commission hopes to conclude its public business by 10:00 P.M. Ordinarily, no new items will be taken up after the 10:00 P.M. cutoff and any items remaining will be agendized for the next meeting. The agendas have been prepared with the hope that all items scheduled will be discussed within the time allowed.
- 2. Suisun City is committed to providing full access to these proceedings; individuals with special needs may call 421-7300.
- 3. Agendas are posted at least 72 hours in advance of regular meetings at Suisun City Hall, 701 Civic Center Boulevard, Suisun City, CA. Agendas may be posted at other Suisun City locations including:
 - Suisun City Fire Station, 621 Pintail Drive, Suisun City, CA;
 - Suisun City Senior Center, 318 Merganser Drive, Suisun City, CA;
 - Joe Nelson Center, 611 Village Drive, Suisun City, CA;
 - Harbor Master Office, 800 Kellogg Street, Suisun City, CA.

I, Donna Pock, Deputy City Clerk for the City of Suisun City, declare under penalty of perjury that the above agenda for the meeting of October 26, 2021 was posted and available for review, in compliance with the Brown Act.





Planning Commission Agenda Report

Meeting Date 10/26/2021

Files:

DATE: 10/26/2021

TO: PLANNING COMMISSION

FROM: John Kearns, Senior Planner (707.421.7335, <u>jkearns@suisun.com</u>)

RE: PUBLIC HEARING: Resolution PC21-; A Resolution of the City of Suisun City

Planning Commission Amending Conditional Use Permit (PC17-04) at 700 Main

Street #106.

SUMMARY

Staff is requesting the Planning Commission hold a public hearing regarding proposed amendments to the Conditional Use Permit for the nightclub/entertainment use located at 700 Main Street, Suite 106.

Recommendation: Planning staff recommends that the Commission adopt Resolution PC21-___; A Resolution of the City of Suisun City Planning Commission Amending Conditional Use Permit (PC17-04) at 700 Main Street #106.

<u>Proposed Motion:</u> I move that the Planning Commission adopt Resolution PC21-___; A Resolution of the City of Suisun City Planning Commission Amending Conditional Use Permit (PC17-04) at 700 Main Street #106.

BACKGROUND

On April 7, 2009, the Planning Commission approved Conditional Use Permit No. UP08/9-012, 700 Main Street #106, for a Jazz Club/Entertainment Lounge with conditions of approval. The Conditional Use Permit was amended on May 9, 2017, with the adoption of Resolution PC 17-04. On September 28, 2021, the Planning Commission held an item to discuss the change of ownership for the facility per Condition of Approval No. 7 of the permit. At that time, staff indicated that there would be a likelihood that the amendments to the permit would be brought forward at a later date following discussions between the Planning Division, Police Department and the applicant team.

DISCUSSION

Following the September 28 meeting, staff met with the applicant team to discuss proposed amendments to the permit. The outcome of that meeting has led to this public hearing and consideration of the amendments. Upon further review of the existing conditions of approval, staff discovered that some conditions had already been satisfied, others no longer applied and a handful could benefit from further clarification. Below are the requested amendments for consideration (a redline version has been included as an attachment to this staff report):

- 1. Final Plan and use shall be similar in the design of those conceptual plans attached in the staff report for Conditional Use Permit No. UP08/9-012.
- 2. The owner/operator shall ensure that the business does not cause excessive noise outside the Premises which would be deemed a nuisance. 90 (ninety) decibels (dB) shall be used as a threshold in determining if such noise constitutes a nuisance. Should the City receive complaints from occupants of neighboring properties concerning excessive noise generated by the business, the City shall measure the levels of such noise emanating from the Premises by using a professional noise metering device. The readings shall be measured at the location of the property from which the complaint was received while the doors to the Premises are closed. If the noise generated by the business is found to be above 90dB as measured by means of the above manner, then the owner/operator shall take appropriate measures to mitigate the noise to levels below 90dB. Should the owner/occupant fail to mitigate the noise to levels below 90 dB, then the City may review this use permit and add or change conditions to abate the nuisance.
- 3. The owner/operator shall provide adequate monitoring, supervision and security inside and outside the Premises. The intent of this requirement is to ensure adequate supervision of customers at all times. Following the occurrence of two or more service calls within any consecutive thirty-day period to police or any other law enforcement personnel resulting in such personnel issuing a verbal warning, citation or arrest to any employee or patron of the business, the City shall have the right to require the owner/operator to reasonably add or increase its number of security personnel.
- 4. All windows and doors shall remain closed at all times except for reasonable ingress and egress during musically related operation of Premises.
- 5. The operator shall keep the immediate area outside the building, including the sidewalks clean and litter free.
- 6. This use permit shall be reviewed by the Planning Commission upon a change in the owner/operator.
- 7. No music or performance that is likely to incite acts of violence inside or outside of the Premises shall be permitted at any time, subject to the limitations of *Brandenburg v. State of Ohio*, 395 U.S. 44 (1969) and subsequent law.
- 8. Dress code for men shall include slacks, nice jeans, a collared shirt, button down shirts, designer T-shirt, and no Flip Flops, no shorts, no tank tops, and no hoodies/sweatshirts. Dress code for women shall be reasonable evening attire except for themed events.
- 9. Operator shall provide a minimum of one uniformed security personnel to monitor the perimeter of the Premises including front and rear parking lots from 9:45 pm to 2:15 am on Fridays and Saturdays.
- 10. Operator shall provide its staff with RBS (Responsible Beverage Service) training.

- 11. Operator shall employ an individual to promptly clean up all sidewalks and other exterior areas surrounding the Premises on Saturday and Sunday mornings.
- 12. Operator shall provide the name and schedule of all performing artists to the person designated by the City at least two weeks in advance of any performance so that preparations can be made for any additional crowds or traffic caused by the artist's presence.
- 13. Operator shall comply with all applicable provisions of the municipal code and all applicable laws, subject to a 30-day cure period after a notice of a violation by the City, except where there are exigent circumstances.
- 14. Operator shall provide a mailing address that can accept certified and regular mail 6 days a week.
- 15. The Planning Commission shall review the Conditional Use Permit at least annually for compliance or at an earlier date if exigent circumstances arise.
- 16. The owner will maintain a functioning video surveillance system in the venue. The system will back-up for at least 7 days. The venue will provide an employee that is trained in the video system anytime the venue is open. The venue will grant police access to the video surveillance without a warrant as needed to investigate a crime.
- 17. The owner will furnish a point of contact that can be reached at any time of the night in case dispatch needs to contact them for any reason.

CEQA Review

The Conditional Use Permit has been found to be categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15303, new construction or conversion of small structures.

PUBLIC CONTACT

The agenda was posted on the Suisun City website. As of the date of this report, no additional inquiries regarding this item had been received by City staff.

DISTRIBUTION

<u>Internal</u>

- PC Distribution
- City Manager Greg Folsom
- Senior Planner John Kearns

External

• City Website https://www.suisun.com/planning-commission/

ATTACHMENTS

- 1. Resolution PC21-___; A Resolution of the City of Suisun City Planning Commission Amending Conditional Use Permit (PC17-04) at 700 Main Street #106.
- 2. Conditions of Approval (Redline Version).
- 3. September 28, 2021 Planning Commission Agenda Packet (https://www.suisun.com/wp-content/files/Planning Commission Agenda Packet 2021 09 28 pn.pdf)

RESOLUTION NO. PC21-

A RESOLUTION OF THE CITY OF SUISUN CITY PLANNING COMMISSION AMENDING THE CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT PC17-04

WHEREAS, the Planning Commission considered amendments to Conditional Use Permit PC17-04 at its regular meeting of October 26, 2021 and

WHEREAS, a report by City staff was presented and made a part of the record of the October 26, 2021 meeting; and

WHEREAS, the Planning Commission held an agenda item at their September 28, 2021 to satisfy Condition of Approval No. 7 which is required with a change of ownership; and

WHEREAS, Conditional Use Permit No. UP08/9-012 was approved by the Planning Commission at its regular meeting of April 7, 2009; and

WHEREAS, based on evidence presented at the meeting by City staff, the applicant, the Public and Commissioners, the following Findings are hereby made:

- 1. That the proposed location of the use was previously found to be consistent with the Goals, Objectives and Policies of the Waterfront District Specific Plan and the purposes of the district in which the site is located.
- 2. That the location of the Conditional Use and the proposed conditions under which it would be operated or maintained was previously found to be consistent with the General Plan.
- 3. That the current use was previously found not to be detrimental to the public health, safety or welfare of persons residing or working in or adjacent to the neighborhood of such use, and not detrimental to properties or improvements in the vicinity or to the general welfare of the City.
- 4. That the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15303, new construction or conversion of small structures.
- 5. The need has arisen to modify the prior conditions that were provided in Conditional Use Permit PC17-04 to protect the public health, safety and welfare.

NOW, THEREFORE, BE IT RESOLVED THAT the Planning Commission of the City of Suisun City does hereby adopt Resolution PC21 -; A Resolution of the City of Suisun City Planning Commission Amending the Conditions of Approval for Conditional Use Permit No. PC17-04, to include the following conditions of approval:

1. Final Plan and use shall be similar in the design of those conceptual plans attached in the staff report for Conditional Use Permit No. UP08/9-012.

- 2. The owner/operator shall ensure that the business does not cause excessive noise outside the Premises which would be deemed a nuisance. 90 (ninety) decibels (dB) shall be used as a threshold in determining if such noise constitutes a nuisance. Should the City receive complaints from occupants of neighboring properties concerning excessive noise generated by the business, the City shall measure the levels of such noise emanating from the Premises by using a professional noise metering device. The readings shall be measured at the location of the property from which the complaint was received while the doors to the Premises are closed. If the noise generated by the business is found to be above 90dB as measured by means of the above manner, then the owner/operator shall take appropriate measures to mitigate the noise to levels below 90dB. Should the owner/occupant fail to mitigate the noise to levels below 90 dB, then the City may review this use permit and add or change conditions to abate the nuisance.
- 3. The owner/operator shall provide adequate monitoring, supervision and security inside and outside the Premises. The intent of this requirement is to ensure adequate supervision of customers at all times. Following the occurrence of two or more service calls within any consecutive thirty-day period to police or any other law enforcement personnel resulting in such personnel issuing a verbal warning, citation or arrest to any employee or patron of the business, the City shall have the right to require the owner/operator to reasonably add or increase its number of security personnel.
- 4. All windows and doors shall remain closed at all times except for reasonable ingress and egress during musically related operation of Premises.
- 5. The operator shall keep the immediate area outside the building, including the sidewalks clean and litter free.
- 6. This use permit shall be reviewed by the Planning Commission upon a change in the owner/operator.
- 7. No music or performance that is likely to incite acts of violence inside or outside of the Premises shall be permitted at any time, subject to the limitations of *Brandenburg v. State of Ohio*, 395 U.S. 44 (1969) and subsequent law.
- 8. Dress code for men shall include slacks, nice jeans, a collared shirt, button down shirts, designer T-shirt, and no Flip Flops, no shorts, no tank tops, and no hoodies/sweatshirts. Dress code for women shall be reasonable evening attire except for themed events.
- 9. Operator shall provide a minimum of one uniformed security personnel to monitor the perimeter of the Premises including front and rear parking lots from 9:45 pm to 2:15 am on Fridays and Saturdays.
- 10. Operator shall provide its staff with RBS (Responsible Beverage Service) training.
- 11. Operator shall employ an individual to promptly clean up all sidewalks and other exterior areas surrounding the Premises on Saturday and Sunday mornings.

- 12. Operator shall provide the name and schedule of all performing artists to the person designated by the City at least two weeks in advance of any performance so that preparations can be made for any additional crowds or traffic caused by the artist's presence.
- 13. Operator shall comply with all applicable provisions of the municipal code and all applicable laws, subject to a 30-day cure period after a notice of a violation by the City, except where there are exigent circumstances.
- 14. Operator shall provide a mailing address that can accept certified and regular mail 6 days a week.
- 15. The Planning Commission shall review the Conditional Use Permit at least annually for compliance or at an earlier date if exigent circumstances arise.
- 16. The owner will maintain a functioning video surveillance system in the venue. The system will back-up for at least 7 days. The venue will provide an employee that is trained in the video system anytime the venue is open. The venue will grant police access to the video surveillance without a warrant as needed to investigate a crime.
- 17. The owner will furnish a point of contact that can be reached at any time of the night in case dispatch needs to contact them for any reason.

	orgoing motion was made by Commissioner and seconded by Commissioner d by the following vote:
AYES: NOES: ABSENT: ABSTAIN:	Commissioners: Commissioners: Commissioners:
WITNESS m	ly hand and the seal of said City this 26 th day of October 2021.

Donna Pock Commission Secretary

TRACKED CHANGES PROPOSED CONDITIONS OF APPROVAL

- 1. Final Plan and use shall be similar in the design of those conceptual plans attached in the staff report for Conditional Use Permit No. UP08/9-012.
- 2. The owner/operator shall ensure that the business does not cause excessive noise outside the Premises which would be deemed a nuisance. 90 (ninety) decibels (dB) shall be used as a threshold in determining if such noise constitutes a nuisance. Should the City receive complaints from occupants of neighboring properties concerning excessive noise generated by the business, the City shall measure the levels of such noise emanating from the Premises by using a professional noise metering device. The readings shall be measured at the location of the property from which the complaint was received while the doors to the Premises are closed. If the noise generated by the business is found to be above 90dB as measured by means of the above manner, then the owner/operator shall take appropriate measures to mitigate the noise to levels below 90dB. Should the owner/occupant fail to mitigate the noise to levels below 90 dB, then the City may review this use permit and add or change conditions to abate the nuisance.
- 3. The owner/operator shall provide adequate monitoring, supervision and security inside and outside the Premises. The intent of this requirement is to ensure adequate supervision of customers at all times. Following the occurrence of two or more service calls within any consecutive thirty-day period to police or any other law enforcement personnel resulting in such personnel issuing a verbal warning, citation or arrest to any employee or patron of the business, the City shall have the right to require the owner/operator to reasonably add or increase its number of security personnel.
- 4. All windows and doors shall remain closed at all times except for reasonable ingress and egress during musically related operation of Premises.
- The operator shall keep the immediate area outside the building, including the sidewalks clean and litter free.

No alcohol shall be served on "youth nights." Alcohol shall be stored in a safe and secure location during such events.

- 6. This use permit shall be reviewed by the Planning Commission upon a change in the owner/operator.
- 7. No music or performance that is likely to incite acts of violence inside or outside of the Premises shall be permitted at any time, subject to the limitations of *Brandenburg v. State of Ohio*, 395 U.S. 44 (1969) and subsequent law.
- 8. Dress code for men shall include slacks, nice jeans, a collared shirt, button down shirts, designer T-shirt, and no Flip Flops, no shorts, no tank tops, and no hoodies/sweatshirts. Dress code for women shall be reasonable evening attire except for themed events.

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- Operator shall provide a minimum of <u>one</u> uniformed security personnel to monitor the perimeter of the Premises including front and rear parking lots from 9:45 pm to 2:15 am on Fridays and Saturdays.
- 40. Operator has volunteered to purchase and donate a public safety camera to the City. For said camera, Operator agrees to voluntarily donate payment to the City of up to \$5,000 for the actual costs of the camera for purchase by the City and for costs of installation of the same.
- 41-10. Operator shall provide its staff with RBS (Responsible Beverage Service) training.
- 42-11. Operator shall employ an individual to promptly clean up all sidewalks and other exterior areas surrounding the Premises on Saturday and Sunday mornings.
- 13.12. Operator shall provide the name and schedule of all performing artists to the person designated by the City at least 48 hours two weeks in advance of any performance so that preparations can be made for any additional crowds or traffic caused by the artist's presence.
- 14. Operator shall pay all business license taxes and false alarm fees within thirty (30) days of notice of the same.
- <u>15-13.</u> Operator shall comply with all applicable provisions of the municipal code and all applicable laws, subject to a 30-day cure period after a notice of a violation by the City, except where there are exigent circumstances.
- 16-14. Operator shall provide a mailing address that can accept certified and regular mail 6 days a week.
- <u>15.</u> The Planning Commission shall review the Conditional Use Permit at least every 3 months annually for compliance or at an earlier date if exigent circumstances arise.
- 16. The owner will maintain a functioning video surveillance system in the venue. The system will back-up for at least 7 days. The venue will provide an employee that is trained in the video system anytime the venue is open. The venue will grant police access to the video surveillance without a warrant as needed to investigate a crime.
- 17. The owner will furnish a point of contact that can be reached at any time of the night in case dispatch needs to contact them for any reason.

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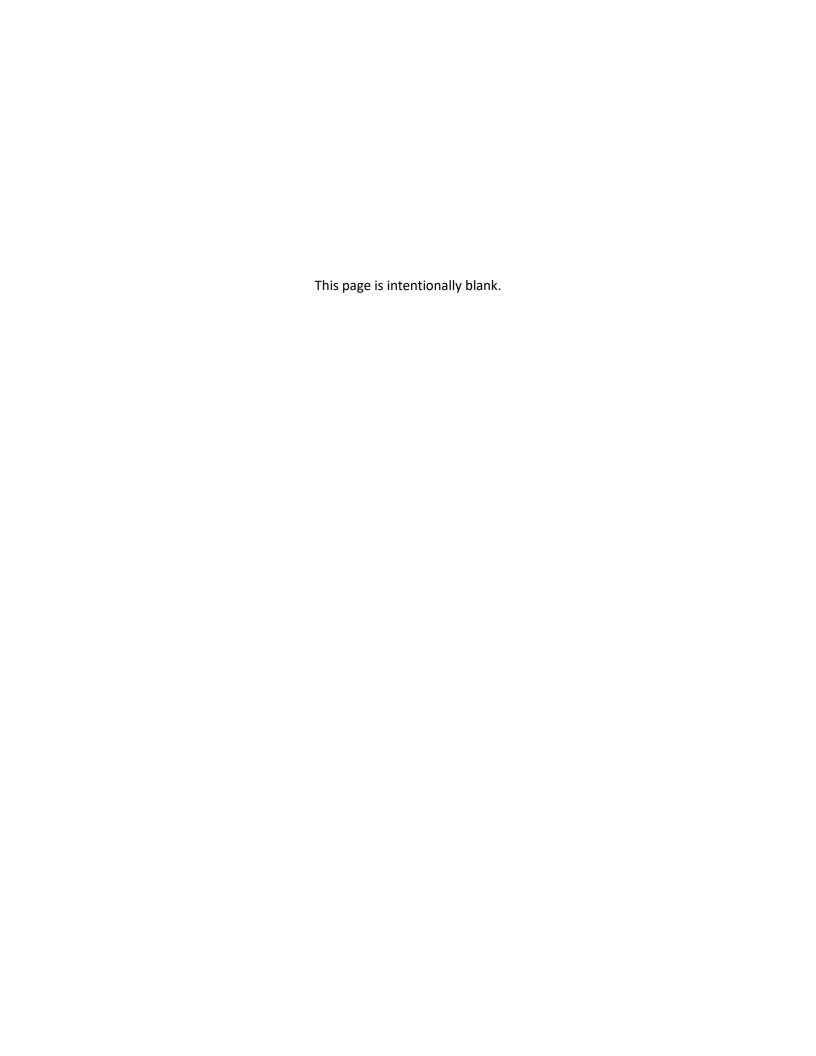
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Planning Commission Agenda Report

Meeting Date 10/26/2021

Files:

DATE: 10/26/2021

TO: PLANNING COMMISSION

FROM: John Kearns, Senior Planner (707.421.7335, <u>ikearns@suisun.com</u>)

RE: GENERAL BUSINESS: Resolution PC21- ; A Resolution of the City of Suisun

City Planning Commission Making a Finding of General Plan Conformity for the Future Sale of Real Property Owned by City of Suisun City Housing Authority

(APN's 0032-101-420 and 0032-102-160).

SUMMARY

Staff is requesting the Planning Commission consider making a finding of conformity with the Suisun City General Plan prior to any future sale of the property located at 707-815 Almond Street (APN's 0032-101-420 and 0032-102-160).

Recommendation: Planning staff recommends that the Commission adopt Resolution PC21-____; A Resolution of the City of Suisun City Planning Commission Making a Finding of General Plan Conformity for the Future Sale of Real Property Owned by City of Suisun City Housing Authority (APN's 0032-101-420 and 0032-102-160).

<u>Proposed Motion:</u> I move that the Planning Commission adopt Resolution PC21-___; A Resolution of the City of Suisun City Planning Commission Making a Finding of General Plan Conformity for the Future Sale of Real Property Owned by City of Suisun City Housing Authority (APN's 0032-101-420 and 0032-102-160).

BACKGROUND

The subject property is located along Almond Street between Civic Center Boulevard and Whispering Bay Lane. The Housing Authority is contemplating redevelopment of this property based on its designation as Residential High-Density (RH) in the Waterfront District Specific Plan. The City may consider selling this site in the future.

DISCUSSION

Per Government Code Section 65402, the Planning Commission must find all real property in conformity with the General Plan before any sale.

According to Chapter 3, Goal LU-1: Policy LU-1.1 of the Suisun City General Plan "The City will encourage reinvestment in existing buildings and development of vacant and underutilized properties within existing neighborhoods."

The subject property's land use designation pursuant to the General Plan is Downtown Waterfront (DW). The DW designation is analyzed pursuant to the Downtown Waterfront Specific Plan (the Plan). The Plan sets forth more detailed standards for land uses and policies for the development and redevelopment of lands within the Plan area.

Required Findings

The Planning Commission makes the following Finding of General Plan Conformity for the future sale of Authority-Owned real property located at 707-815 Almond Street.

The future sale of the property depicted in Attachment 3 is consistent with the City's General Plan and its designation of the subject parcels as "Downtown Waterfront."

CEQA Review

The action of the Planning Commission finding real property in conformity with the General Plan is categorically exempt from the California Environmental Quality Act (CEQA), under Section 15061(b)(3) because it does not have the potential to have a significant effect on the environment.

PUBLIC CONTACT

The agenda was posted on the Suisun City website. As of the date of this report, no additional inquiries regarding this item had been received by City staff.

DISTRIBUTION

Internal

- PC Distribution
- City Manager Greg Folsom
- Senior Planner John Kearns

External

• City Website https://www.suisun.com/planning-commission/

ATTACHMENTS

- 1. Resolution PC21-____; A Resolution of the City of Suisun City Planning Commission Making a Finding of General Plan Conformity for the Future Sale of Real Property Owned by City of Suisun City Housing Authority (APN's 0032-101-420 and 0032-102-160).
- 2. Government Code 65402.
- 3. Property Depiction.
- 4. General Plan Land Use Map.

RESOLUTION NO. PC21-

A RESOLUTION OF THE CITY OF SUISUN CITY PLANNING COMMISSION MAKING A FINDING OF GENERAL PLAN CONFORMITY FOR THE FUTURE SALE OF REAL PROPERTY OWNED BY CITY OF SUISUN CITY HOUSING AUTHORITY (APN'S 0032-101-420 AND 0032-102-160).

- WHEREAS, Government Code Section 65402 provides that prior to the sale of Authorityowned real property, the City Planning Commission must make a finding that the property is in conformity with the General Plan; and
- WHEREAS, the property located along Almond Street between Civic Center Boulevard and Whispering Bay Lane and is designated as "Downtown Waterfront" on the City's General Plan Map; and
- **WHEREAS**, the proposed use of the real property subsequent to a sale will be consistent with the "Downtown Waterfront" designation of the General Plan; and
- WHEREAS, any development or use of the real property subsequent to a sale will be required to be consistent with the designation of the Waterfront District Specific Plan; and
- WHEREAS, on October 26, 2021, the Planning Commission reviewed the staff report and materials, considered all testimony and arguments, if any, of all persons desiring to be heard, and considered all the facts relating to the subject application at a Planning Commission meeting; and
- WHEREAS, the Planning Commission desires to make a finding of General Plan conformity based upon substantial evidence.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF SUISUN CITY RESOLVES, DETERMINES, AND ORDERS AS FOLLOWS:

- **Section 1.** *Incorporation of Recitals.* That the above recitations are true and correct.
- **Section 2.** Finding. The future sale of the property along Almond Street between Civic Center Boulevard and Whispering Bay Lane is consistent with the City's General Plan and its designation of the subject site as "Downtown Waterfront."
- **Section 3.** Environmental Clearance. The Planning Commission finds that the proposed sale of real property is categorically exempt from the California Environmental Quality Act (CEQA), under Section 15061(b)(3) because it does not have the potential to have a significant effect on the environment. If and when a development project is

brought	forward on these parcels adequate environmental review will be completed.
Section the adop	4. <i>Certification.</i> The Secretary of the Planning Commission shall certify to otion of this Resolution.
_	ing motion was made by Commissioner and seconded by Commissioner carried by the following vote:
AYES:	Commissioners:
NOES:	Commissioners:
ABSENT:	Commissioners:
ABSTAIN:	Commissioners:
WITNE	ESS my hand and the seal of said City this 26 th day of October 2021.
	Anita Skinner
	Commission Secretary

Item 3

State of California

GOVERNMENT CODE

Section 65402

65402. (a) If a general plan or part thereof has been adopted, no real property shall be acquired by dedication or otherwise for street, square, park or other public purposes, and no real property shall be disposed of, no street shall be vacated or abandoned, and no public building or structure shall be constructed or authorized, if the adopted general plan or part thereof applies thereto, until the location, purpose and extent of such acquisition or disposition, such street vacation or abandonment, or such public building or structure have been submitted to and reported upon by the planning agency as to conformity with said adopted general plan or part thereof. The planning agency shall render its report as to conformity with said adopted general plan or part thereof within forty (40) days after the matter was submitted to it, or such longer period of time as may be designated by the legislative body.

If the legislative body so provides, by ordinance or resolution, the provisions of this subdivision shall not apply to: (1) the disposition of the remainder of a larger parcel which was acquired and used in part for street purposes; (2) acquisitions, dispositions, or abandonments for street widening; or (3) alignment projects, provided such dispositions for street purposes, acquisitions, dispositions, or abandonments for street widening, or alignment projects are of a minor nature.

(b) A county shall not acquire real property for any of the purposes specified in paragraph (a), nor dispose of any real property, nor construct or authorize a public building or structure, in another county or within the corporate limits of a city, if such city or other county has adopted a general plan or part thereof and such general plan or part thereof is applicable thereto, and a city shall not acquire real property for any of the purposes specified in paragraph (a), nor dispose of any real property, nor construct or authorize a public building or structure, in another city or in unincorporated territory, if such other city or the county in which such unincorporated territory is situated has adopted a general plan or part thereof and such general plan or part thereof is applicable thereto, until the location, purpose and extent of such acquisition, disposition, or such public building or structure have been submitted to and reported upon by the planning agency having jurisdiction, as to conformity with said adopted general plan or part thereof. Failure of the planning agency to report within forty (40) days after the matter has been submitted to it shall be conclusively deemed a finding that the proposed acquisition, disposition, or public building or structure is in conformity with said adopted general plan or part thereof. The provisions of this paragraph (b) shall not apply to acquisition or abandonment for street widening or alignment projects of a minor nature if the legislative body having the real property within its boundaries so provides by ordinance or resolution.

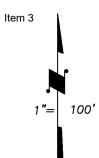
Item 3

(c) A local agency shall not acquire real property for any of the purposes specified in paragraph (a) nor dispose of any real property, nor construct or authorize a public building or structure, in any county or city, if such county or city has adopted a general plan or part thereof and such general plan or part thereof is applicable thereto, until the location, purpose and extent of such acquisition, disposition, or such public building or structure have been submitted to and reported upon by the planning agency having jurisdiction, as to conformity with said adopted general plan or part thereof. Failure of the planning agency to report within forty (40) days after the matter has been submitted to it shall be conclusively deemed a finding that the proposed acquisition, disposition, or public building or structure is in conformity with said adopted general plan or part thereof. If the planning agency disapproves the location, purpose or extent of such acquisition, disposition, or the public building or structure, the disapproval may be overruled by the local agency.

Local agency as used in this paragraph (c) means an agency of the state for the local performance of governmental or proprietary functions within limited boundaries. Local agency does not include the state, or county, or a city.

(Amended by Stats. 1974, Ch. 700.)

Tax Area Code **5017**





Chaplin Addition Crescent Estates

Unit No.1

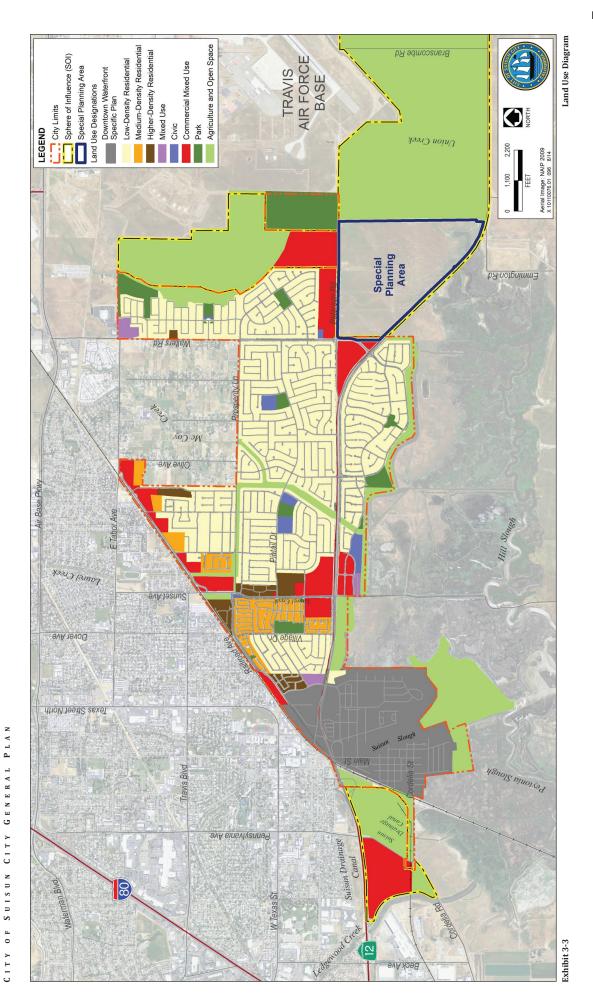
R.M. Bk. 05 Pg. 05 R.M. Bk. 22 Pg. 53

R.S. 29-59	11-2-09	Cr
P.M. 38-61	4-25-94	S.S.
ST. NAME CHG.	7-27-93	Pd
REVISION	DATE	BY

NOTE: This map is for assessment purposes only. It is not intended to define legal boundary rights or imply compliance with land division laws.

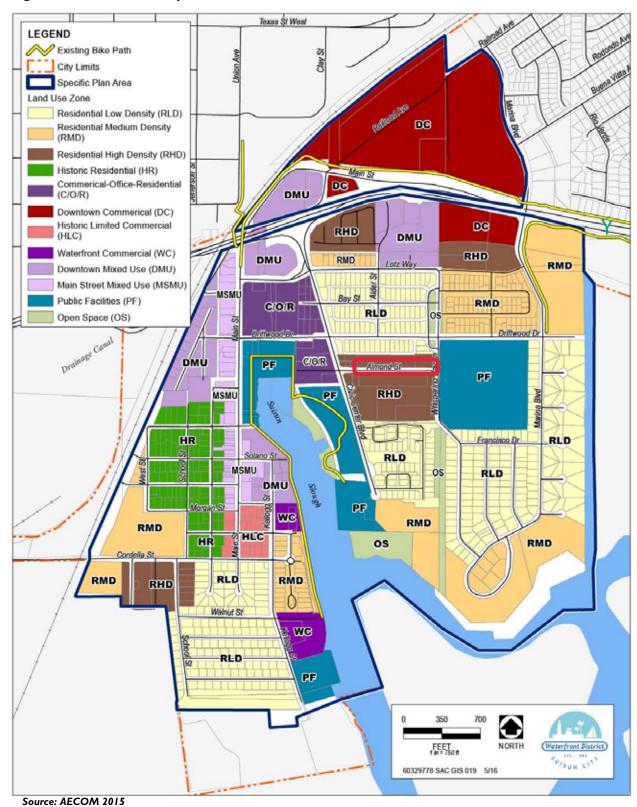
CITY OF SUISUN CITY
Assessor's Map Bk. 32 Pg. 10
County of Solano, Calif.



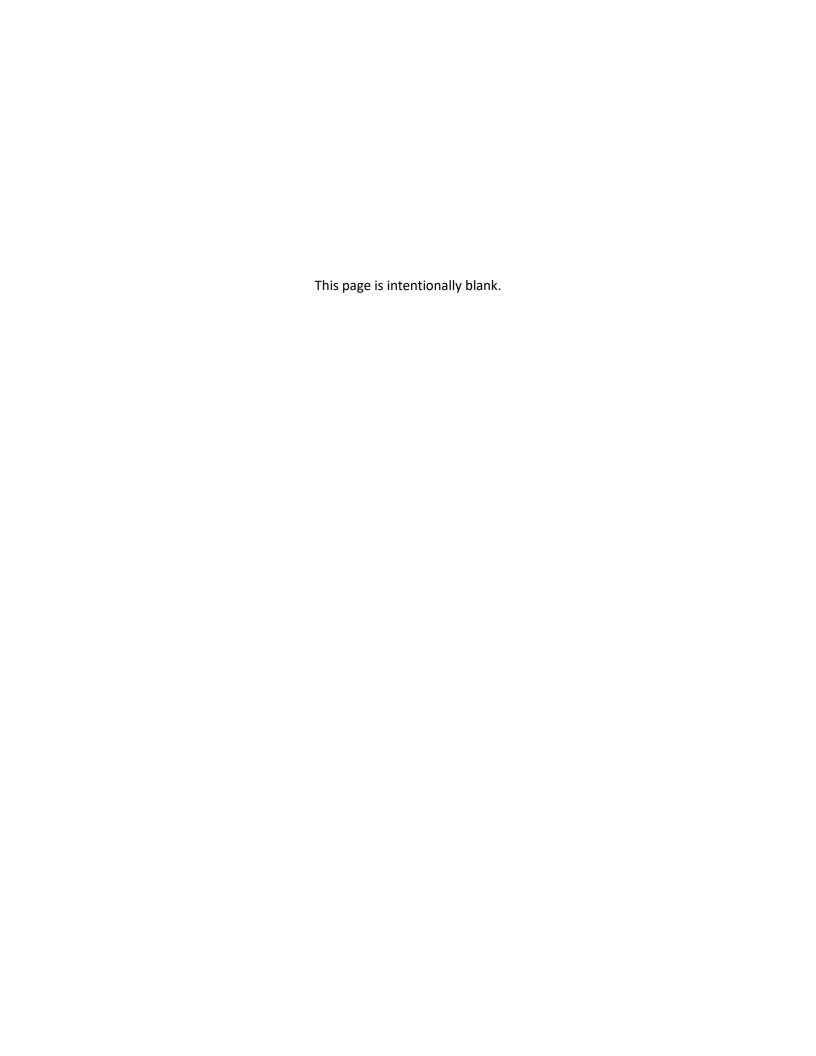


PAGE 3-6

Figure 3-1: Land Use Map



Page 3-2





Planning Commission Agenda Report

Meeting Date 10/26/2021

Files:

DATE: 10/26/2021

TO: PLANNING COMMISSION

FROM: John Kearns, Senior Planner (707.421.7335, <u>jkearns@suisun.com</u>)

RE: GENERAL BUSINESS: Resolution PC21- ; A Resolution of the City of Suisun

City Planning Commission Making a Finding of General Plan Conformity for the Future Sale of Real Property Owned by the Successor Agency to the Former Redevelopment Agency of the City of Suisun City (APN's 0032-042-300, 360, 440,

460, 480, 500, 520, 540, 560, 580, 600, 680).

SUMMARY

Staff is requesting the Planning Commission consider making a finding of conformity with the Suisun City General Plan prior to any future sale of the property located on property north of Lotz Way and East of Civic Center Boulevard and West of Alder Street (APN's 0032-042-300,360, 440,460, 480,500, 520,540, 560,580, 600,680).

<u>Recommendation:</u> Planning staff recommends that the Commission adopt Resolution PC21-____; A Resolution of the City of Suisun City Planning Commission Making a Finding of General Plan Conformity for the Future Sale of Real Property Owned by the Successor Agency to the Former Redevelopment Agency of the City of Suisun City (APN's 0032-042-300,360, 440,460, 480,500, 520,540, 560,580, 600,680).

<u>Proposed Motion:</u> I move that the Planning Commission adopt Resolution PC21-___; A Resolution of the City of Suisun City Planning Commission Making a Finding of General Plan Conformity for the Future Sale of Real Property Owned by the Successor Agency to the Former Redevelopment Agency of the City of Suisun City (APN's 0032-042-300,360, 440,460, 480,500, 520,540, 560,580, 600,680).

BACKGROUND

The subject property is located along Lotz Way between Civic Center Boulevard and Alder Street. The Successor Agency to the Former Redevelopment Agency of the City of Suisun City is contemplating development of this property based on its designation as Residential Medium-Density (RM) in the Waterfront District Specific Plan. The Agency is considering selling this site in the near future.

DISCUSSION

Per Government Code Section 65402, the Planning Commission must find that real property in conformity with the General Plan before any sale.

According to Chapter 3, Goal LU-1: Policy LU-1.1 of the Suisun City General Plan "The City will encourage reinvestment in existing buildings and development of vacant and underutilized properties within existing neighborhoods."

The subject property's land use designation pursuant to the General Plan is Downtown Waterfront (DW). The DW designation is analyzed pursuant to the Downtown Waterfront Specific Plan (the Plan). The Plan sets forth more detailed standards for land uses and policies for the development and redevelopment of lands within the Plan area.

Required Findings

The Planning Commission makes the following Finding of General Plan Conformity for the future sale of Authority-Owned real property located along Lotz Way between Civic Center Boulevard and Alder Street.

The future sale of the property depicted in Attachment 3 is consistent with the City's General Plan and its designation of the subject parcels as "Downtown Waterfront".

CEQA Review

The action of the Planning Commission finding real property in conformity with the General Plan is categorically exempt from the California Environmental Quality Act (CEQA), under Section 15061(b)(3) because it does not have the potential to have a significant effect on the environment.

PUBLIC CONTACT

The agenda was posted on the Suisun City website. As of the date of this report, no additional inquiries regarding this item had been received by City staff.

DISTRIBUTION

Internal

- PC Distribution
- City Manager Greg Folsom
- Senior Planner John Kearns

External

• City Website https://www.suisun.com/planning-commission/

ATTACHMENTS

1. Resolution PC21-____; A Resolution of the City of Suisun City Planning Commission Making a Finding of General Plan Conformity for the Future Sale of Real Property Owned by the Successor Agency to the Former Redevelopment Agency of the City of Suisun City (APN's 0032-042-300,360, 440,460, 480,500, 520,540, 560,580, 600,680).

- 2.
- 3.
- Government Code 65402. Property Depiction. General Plan Land Use Map. 4.

RESOLUTION NO. PC21-

A RESOLUTION OF THE CITY OF SUISUN CITY PLANNING COMMISSION MAKING A FINDING OF GENERAL PLAN CONFORMITY FOR THE FUTURE SALE OF REAL PROPERTY OWNED BY THE SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF SUISUN CITY (APN'S 0032-042-300,360, 440,460, 480,500, 520,540, 560,580, 600,680).

- WHEREAS, Government Code Section 65402 provides that prior to the sale of Agencyowned real property, the City Planning Commission must make a finding that the property is in conformity with the General Plan; and
- WHEREAS, the property located along Lotz Way between Civic Center Boulevard and Alder Street and is designated as "Downtown Waterfront" on the City's General Plan Map; and
- **WHEREAS**, the proposed use of the real property subsequent to a sale will be consistent with the "Downtown Waterfront" designation of the General Plan; and
- WHEREAS, any development or use of the real property subsequent to a sale will be required to be consistent with the designation of the Waterfront District Specific Plan; and
- WHEREAS, on October 26, 2021, the Planning Commission reviewed the staff report and materials, considered all testimony and arguments, if any, of all persons desiring to be heard, and considered all the facts relating to the subject application at a Planning Commission meeting; and
- WHEREAS, the Planning Commission desires to make a finding of General Plan conformity based upon substantial evidence.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF SUISUN CITY RESOLVES, DETERMINES, AND ORDERS AS FOLLOWS:

- **Section 1.** *Incorporation of Recitals.* That the above recitations are true and correct.
- **Section 2.** Finding. The future sale of the property along Lotz Way between Civic Center Boulevard and Alder Street is consistent with the City's General Plan and its designation of the subject site as "Downtown Waterfront."
- **Section 3.** Environmental Clearance. The Planning Commission finds that the proposed sale of real property is categorically exempt from the California Environmental Quality Act (CEQA), under Section 15061(b)(3) because it does not have the potential to have a significant effect on the environment. If and when a development project is

brought	forward on these parcels adequate environmental review will be completed.
Section the adop	4. <i>Certification.</i> The Secretary of the Planning Commission shall certify to otion of this Resolution.
_	ing motion was made by Commissioner and seconded by Commissioner carried by the following vote:
AYES:	Commissioners:
NOES:	Commissioners:
ABSENT:	Commissioners:
ABSTAIN:	Commissioners:
WITNE	ESS my hand and the seal of said City this 26 th day of October 2021.
	Donna Pock
	Commission Secretary
	\mathcal{J}

Item 4

State of California

GOVERNMENT CODE

Section 65402

65402. (a) If a general plan or part thereof has been adopted, no real property shall be acquired by dedication or otherwise for street, square, park or other public purposes, and no real property shall be disposed of, no street shall be vacated or abandoned, and no public building or structure shall be constructed or authorized, if the adopted general plan or part thereof applies thereto, until the location, purpose and extent of such acquisition or disposition, such street vacation or abandonment, or such public building or structure have been submitted to and reported upon by the planning agency as to conformity with said adopted general plan or part thereof. The planning agency shall render its report as to conformity with said adopted general plan or part thereof within forty (40) days after the matter was submitted to it, or such longer period of time as may be designated by the legislative body.

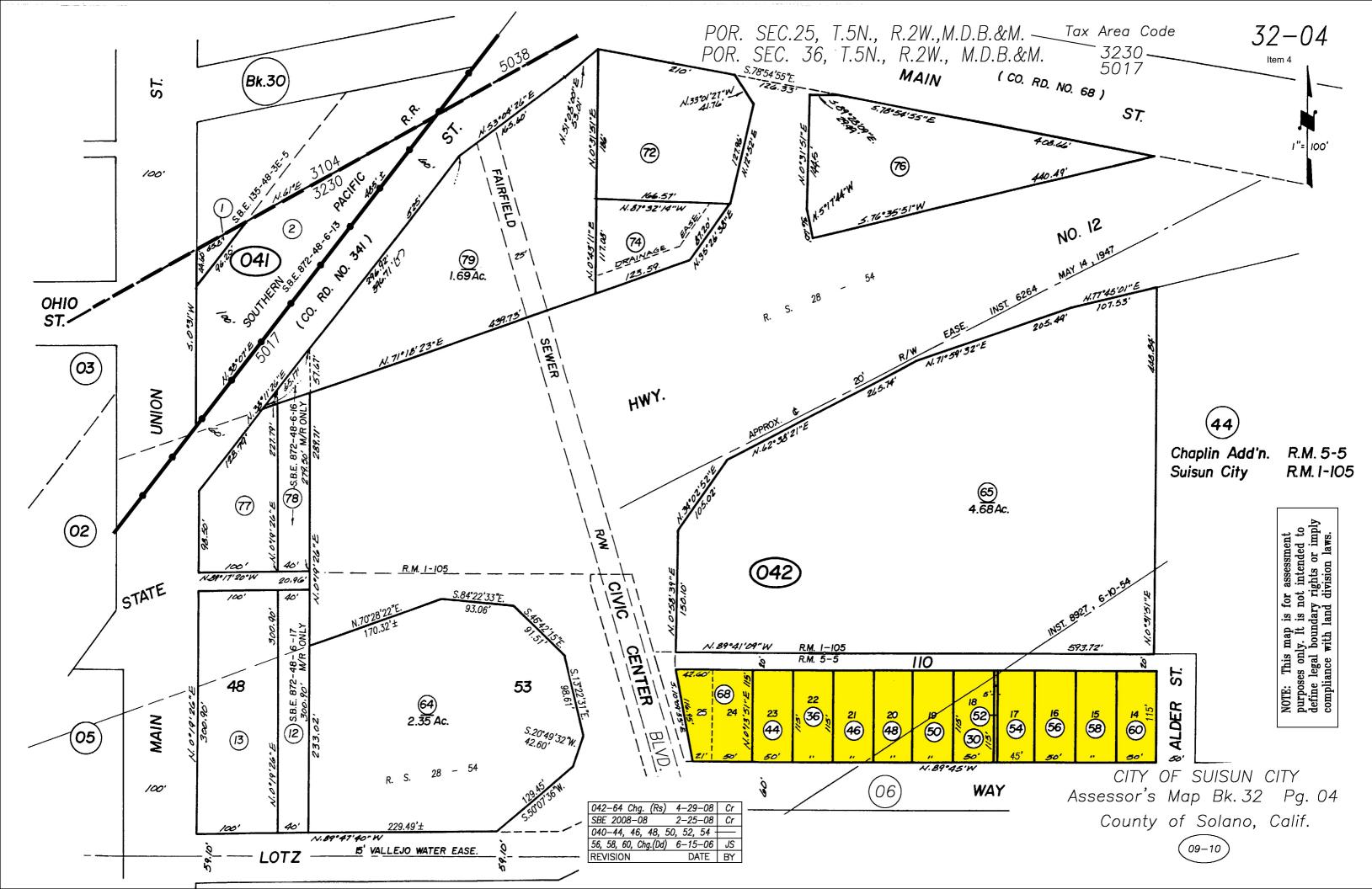
If the legislative body so provides, by ordinance or resolution, the provisions of this subdivision shall not apply to: (1) the disposition of the remainder of a larger parcel which was acquired and used in part for street purposes; (2) acquisitions, dispositions, or abandonments for street widening; or (3) alignment projects, provided such dispositions for street purposes, acquisitions, dispositions, or abandonments for street widening, or alignment projects are of a minor nature.

(b) A county shall not acquire real property for any of the purposes specified in paragraph (a), nor dispose of any real property, nor construct or authorize a public building or structure, in another county or within the corporate limits of a city, if such city or other county has adopted a general plan or part thereof and such general plan or part thereof is applicable thereto, and a city shall not acquire real property for any of the purposes specified in paragraph (a), nor dispose of any real property, nor construct or authorize a public building or structure, in another city or in unincorporated territory, if such other city or the county in which such unincorporated territory is situated has adopted a general plan or part thereof and such general plan or part thereof is applicable thereto, until the location, purpose and extent of such acquisition, disposition, or such public building or structure have been submitted to and reported upon by the planning agency having jurisdiction, as to conformity with said adopted general plan or part thereof. Failure of the planning agency to report within forty (40) days after the matter has been submitted to it shall be conclusively deemed a finding that the proposed acquisition, disposition, or public building or structure is in conformity with said adopted general plan or part thereof. The provisions of this paragraph (b) shall not apply to acquisition or abandonment for street widening or alignment projects of a minor nature if the legislative body having the real property within its boundaries so provides by ordinance or resolution.

(c) A local agency shall not acquire real property for any of the purposes specified in paragraph (a) nor dispose of any real property, nor construct or authorize a public building or structure, in any county or city, if such county or city has adopted a general plan or part thereof and such general plan or part thereof is applicable thereto, until the location, purpose and extent of such acquisition, disposition, or such public building or structure have been submitted to and reported upon by the planning agency having jurisdiction, as to conformity with said adopted general plan or part thereof. Failure of the planning agency to report within forty (40) days after the matter has been submitted to it shall be conclusively deemed a finding that the proposed acquisition, disposition, or public building or structure is in conformity with said adopted general plan or part thereof. If the planning agency disapproves the location, purpose or extent of such acquisition, disposition, or the public building or structure, the disapproval may be overruled by the local agency.

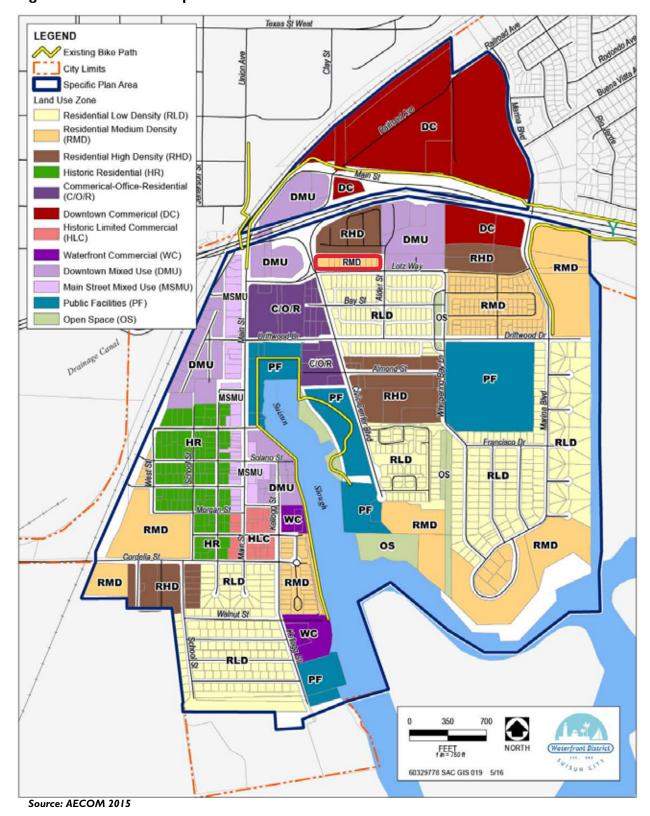
Local agency as used in this paragraph (c) means an agency of the state for the local performance of governmental or proprietary functions within limited boundaries. Local agency does not include the state, or county, or a city.

(Amended by Stats. 1974, Ch. 700.)



CITY OF SUISUN CITY GENERAL PLAN

Figure 3-1: Land Use Map





Planning Commission Agenda Report

Meeting Date 10/26/2021

Files:

DATE: 10/26/2021

TO: PLANNING COMMISSION

FROM: John Kearns, Senior Planner (707.421.7335, <u>jkearns@suisun.com</u>)

RE: GENERAL BUSINESS: Resolution PC21- ; A Resolution of the City of Suisun

City Planning Commission Making a Finding of General Plan Conformity for the Future Sale of Real Property Owned by the Successor Agency to the Former Redevelopment Agency of the City of Suisun City (APN'S 0032-091-170 through

200).

SUMMARY

Staff is requesting the Planning Commission consider making a finding of conformity with the Suisun City General Plan prior to any future sale of the property located along the west side of Civic Center Boulevard South of Driftwood Drive and North of Suisun City Hall (APN'S 0032-091-170 through 200).

Recommendation: Planning staff recommends that the Commission adopt Resolution PC21-____; A Resolution of the City of Suisun City Planning Commission Making a Finding of General Plan Conformity for the Future Sale of Real Property Owned by the Successor Agency to the Former Redevelopment Agency of the City of Suisun City (APN'S 0032-091-170 through 200).

<u>Proposed Motion:</u> I move that the Planning Commission adopt Resolution PC21-___; A Resolution of the City of Suisun City Planning Commission Making a Finding of General Plan Conformity for the Future Sale of Real Property Owned by the Successor Agency to the Former Redevelopment Agency of the City of Suisun City (APN'S 0032-091-170 through 200).

BACKGROUND

The subject property is located along the west side of Civic Center Boulevard South of Driftwood Drive and North of Suisun City Hall. The Successor Agency to the Former Redevelopment Agency of the City of Suisun City is contemplating development of this property based on its designation as Commercial/Office/Residential (C/O/R) in the Waterfront District Specific Plan. The Agency is considering selling this site in the near future.

DISCUSSION

Per Government Code Section 65402, the Planning Commission must find all real property in conformity with the General Plan before any sale.

According to Chapter 3, Goal LU-1: Policy LU-1.1 of the Suisun City General Plan "The City will encourage reinvestment in existing buildings and development of vacant and underutilized properties within existing neighborhoods." Additionally, there are many references in both the General Plan and Waterfront District Specific Plan which emphasize mixed use developments and destination-types of uses to capitalize on the existing setting of the waterfront and marina.

The subject property's land use designation pursuant to the General Plan is Downtown Waterfront (DW). The DW designation is analyzed pursuant to the Downtown Waterfront Specific Plan (the Plan). The Plan sets forth more detailed standards for land uses and policies for the development and redevelopment of lands within the Plan area.

Required Findings

The Planning Commission makes the following Finding of General Plan Conformity for the future sale of Authority-Owned real property located along Civic Center Boulevard South of Driftwood Drive and North of Suisun City Hall.

The future sale of the property depicted in Attachment 3 is consistent with the City's General Plan and its designation of the subject parcels as "Downtown Waterfront."

CEQA Review

The action of the Planning Commission finding real property in conformity with the General Plan is categorically exempt from the California Environmental Quality Act (CEQA), under Section 15061(b)(3) because it does not have the potential to have a significant effect on the environment.

PUBLIC CONTACT

The agenda was posted on the Suisun City website. As of the date of this report, no additional inquiries regarding this item had been received by City staff.

DISTRIBUTION

Internal

- PC Distribution
- City Manager Greg Folsom
- Senior Planner John Kearns

External

• City Website https://www.suisun.com/planning-commission/

ATTACHMENTS

1. Resolution PC21-____; A Resolution of the City of Suisun City Planning Commission Making a Finding of General Plan Conformity for the Future Sale of Real Property

Owned by the Successor Agency to the Former Redevelopment Agency of the City of Suisun City (APN'S 0032-091-170 through 200).

- 2. Government Code 65402.
- 3. Property Depiction.
- 4. General Plan Land Use Map.

RESOLUTION NO. PC21-

A RESOLUTION OF THE CITY OF SUISUN CITY PLANNING COMMISSION MAKING A FINDING OF GENERAL PLAN CONFORMITY FOR THE FUTURE SALE OF REAL PROPERTY OWNED BY THE SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF SUISUN CITY (APN'S 0032-091-170 THROUGH 200).

WHEREAS, Government Code Section 65402 provides that prior to the sale of Agencyowned real property, the City Planning Commission must make a finding that the property is in conformity with the General Plan; and

WHEREAS, the property located along the west side of Civic Center Boulevard South of Driftwood Drive and North of Suisun City Hall and is designated as "Downtown Waterfront" on the City's General Plan Map; and

WHEREAS, the proposed use of the real property subsequent to a sale will be consistent with the "Downtown Waterfront" designation of the General Plan; and

WHEREAS, any development or use of the real property subsequent to a sale will be required to be consistent with the designation of the Waterfront District Specific Plan; and

WHEREAS, on October 26, 2021, the Planning Commission reviewed the staff report and materials, considered all testimony and arguments, if any, of all persons desiring to be heard, and considered all the facts relating to the subject application at a Planning Commission meeting; and

WHEREAS, the Planning Commission desires to make a finding of General Plan conformity based upon substantial evidence.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF SUISUN CITY RESOLVES, DETERMINES, AND ORDERS AS FOLLOWS:

- **Section 1.** *Incorporation of Recitals.* That the above recitations are true and correct.
- **Section 2.** Finding. The future sale of the property along the west side of Civic Center Boulevard South of Driftwood Drive and North of Suisun City Hall is consistent with the City's General Plan and its designation of the subject site as "Downtown Waterfront."
- **Section 3.** *Environmental Clearance*. The Planning Commission finds that the proposed sale of real property is categorically exempt from the California Environmental

Quality Act (CEQA), under Section 15061(b)(3) because it does not have the potential to have a significant effect on the environment. If and when a development project is brought forward on these parcels adequate environmental review will be completed.

Section 4.	Certification.	The Secretary	of the Planning	g Commission	shall certify to
the adoption o	f this Resolution	on.			

_	ing motion was made carried by the followi	e by Commissioner and seconded by Commissioner ng vote:
AYES: NOES: ABSENT: ABSTAIN:	Commissioners: Commissioners: Commissioners: Commissioners:	
WITN	ESS my hand and the	seal of said City this 26 th day of October 2021.
		Donna Pock
		Commission Secretary

Item 5

State of California

GOVERNMENT CODE

Section 65402

65402. (a) If a general plan or part thereof has been adopted, no real property shall be acquired by dedication or otherwise for street, square, park or other public purposes, and no real property shall be disposed of, no street shall be vacated or abandoned, and no public building or structure shall be constructed or authorized, if the adopted general plan or part thereof applies thereto, until the location, purpose and extent of such acquisition or disposition, such street vacation or abandonment, or such public building or structure have been submitted to and reported upon by the planning agency as to conformity with said adopted general plan or part thereof. The planning agency shall render its report as to conformity with said adopted general plan or part thereof within forty (40) days after the matter was submitted to it, or such longer period of time as may be designated by the legislative body.

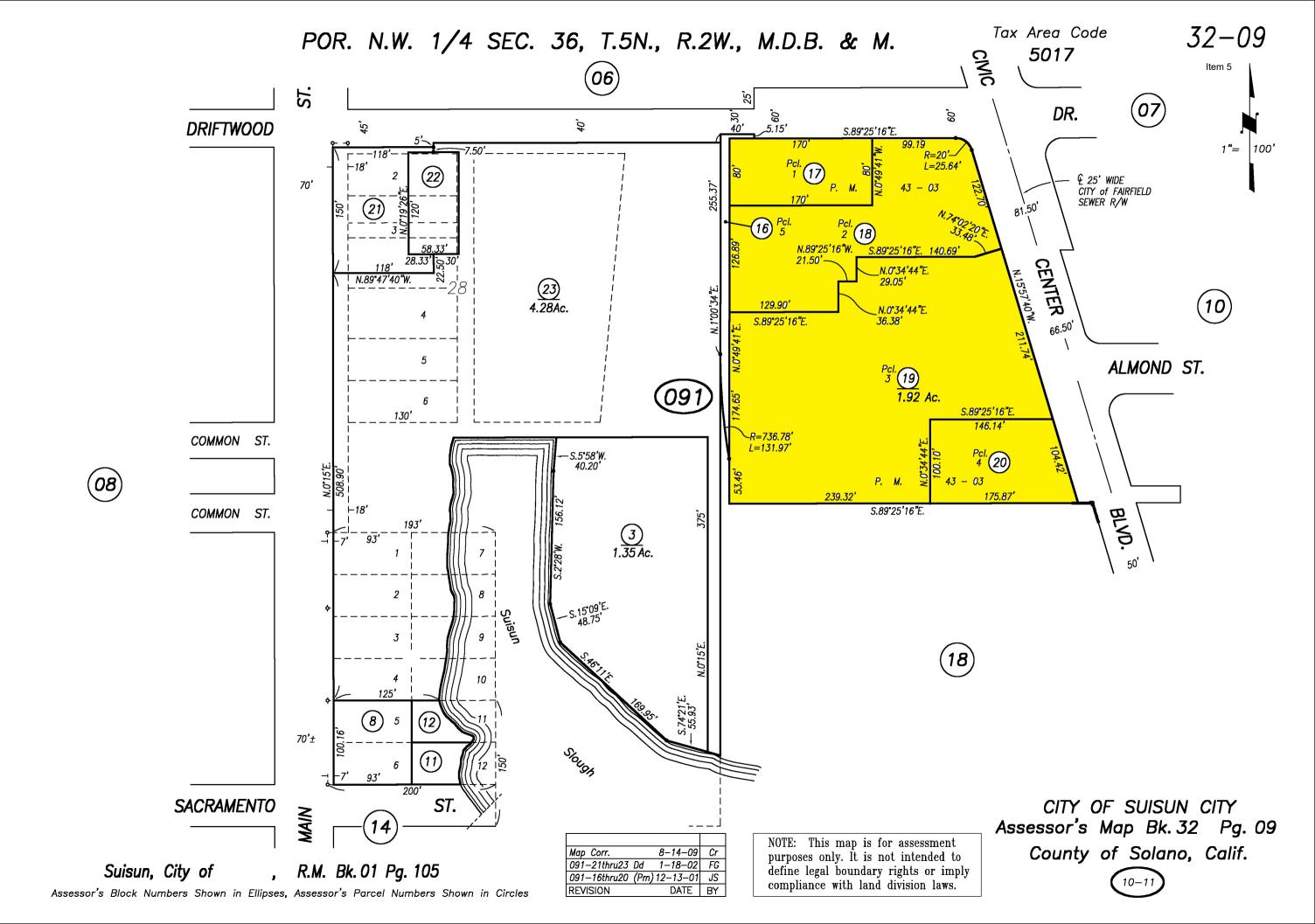
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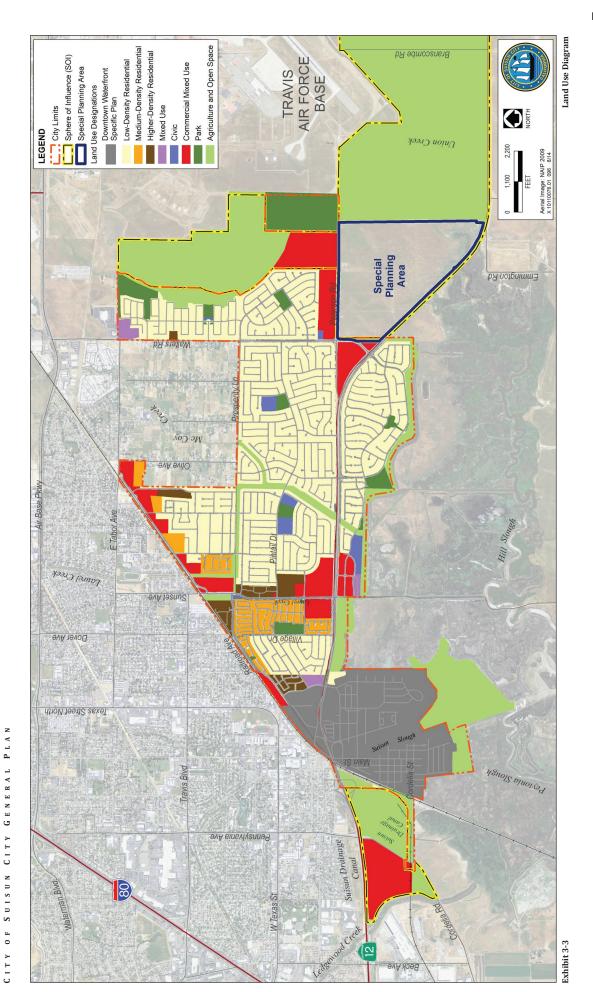
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(Amended by Stats. 1974, Ch. 700.)





PAGE 3-6

Figure 3-1: Land Use Map

