



March 16, 2017

MEMO TO: Stanislaus County Planning Commission

FROM: Department of Planning and Community Development

SUBJECT: GENERAL PLAN CONSISTENCY DETERMINATION FOR THE EMPIRE LIBRARY PROJECT

Stanislaus County is proposing to acquire a .41 acre parcel, to allow construction of a new facility for the relocation of the Empire Library, located at 98 I Street, on the northeast corner of 1st and I Street, in the Community of Empire. As required by State Government Code Section 65402(a), this project is being brought to the Planning Commission for a determination of General Plan Consistency, prior to property acquisition. (See Exhibit A – *Letter from Stanislaus County CEO, dated February 14, 2017.*)

The new site for the Empire library was previously the home of the Empire Hall Community Center, which burned down approximately two years ago. The remainder of the existing building was demolished in July 2016, in order to make the site safe. In an effort to do something positive for the Community, the Empire Hall Community Center Association has offered to donate the subject real property to Stanislaus County. After considering potential sites, County Staff believes relocating the Empire Community Library to the former Community Center site will be beneficial for the Community of Empire due to the ability of joint use with the adjacent Empire Pool, and Empire Elementary, and Bernard Hughes Elementary Schools. The proposed structure will be approximately 2,880 square feet in size.

As stated above, State law requires real property acquisition by a public entity to be brought to the Planning Commission for a determination of General Plan Consistency, prior to acquisition. The proposed site has a General Plan designation of Low Density Residential and a zoning designation of R-1 (Low Density Residential), which allows public buildings when a Use Permit is obtained. The Land Use Element of the General Plan discusses the siting of public facilities and services in Stanislaus County and permits public buildings and grounds in virtually all of the various zoning districts provided specific criteria can be met. Generally, a Use Permit is required, which allows public review of the request and allows Planning Commission review to ensure suitable locations. This method recognizes the diversity of the areas the Plan covers, ranging from residential and commercial neighborhoods to farm and industrial lands. The permit process allows specific review of the relationships between the proposed uses and those that surround them either currently or in the future. This project will go through the Use Permit process, following the acquisition and design phase of the project.

The Land Use Element of the Stanislaus County General Plan also states, in evaluating the consistency of a public facility, the County shall consider factors including, but not necessarily limited to the following:

- a. **Surrounding land uses (both existing and planned).** Existing and future land uses should be consistent with the proposed public facility. The facility shall be located in an area that is convenient to the users of the facility.
- b. **Traffic impacts and public road access.** The proposed facility shall not cause significant traffic impacts that cannot be mitigated. In the case of public facilities for open space (wildlife areas, etc.), it is important that traffic not be allowed to impact the open space area.
- c. **Noise, dust, and vibration.** The proposed facility shall not cause an unreasonable amount of noise, dust, or vibration and should not be located in areas where it would be impacted by the same.
- d. **Public safety.** Proposed public facilities shall be located to provide the maximum degree of public safety.
- e. **Soil types.** Public facilities shall be located as much as possible on poorer soils unless such location is clearly not practical.
- f. **Parcel size.** Public facilities should be located in areas which are of diminished agricultural importance due to small parcel sizes unless location in another area is necessary due to specialized requirements of the facility.
- g. **Impacts on agriculture.** Facilities shall be located to avoid impacts on adjoining agricultural uses.

The project site is within the Empire area, which is already developed as an urbanized community with both residential and commercial uses. The relocation of the Empire Library will not adversely impact agriculture, and is consistent with surrounding land uses in the area. The Use Permit which will be processed for the project will address or mitigate, if needed, any potential noise or traffic impacts from the project. With the Use Permit process in place, acquiring real property for the purpose of relocating the Empire Library is considered to be consistent with the criteria set forth within the Stanislaus County General Plan for the appropriate siting of public facilities.

As required by the Land Use Element of the General Plan, projects located within a Sphere of Influence of a city shall be referred to that city for comment. Because the project site is located within the City of Modesto's Sphere of Influence, the Empire Library project must also be considered for consistency with the City of Modesto's General Plan. This General Plan Consistency request was referred to the City of Modesto for comment. A project referral response received from the City of Modesto on February 21, 2017, indicated that the Empire Library project is consistent with the City of Modesto's General Plan (See Exhibit C - *Referral response dated February 21, 2017, from Steve Mitchell, Principal Planner, City of Modesto Community & Economic Development Department*).

RECOMMENDATION:

Staff recommends that the Planning Commission find the acquisition of APN 133-014-021 in order to facilitate the relocation of the Empire Library to be in conformance with the Stanislaus County General Plan.

Attachments:

- Exhibit A: Letter from Stanislaus County CEO, dated February 14, 2017
- Exhibit B: Project site maps
- Exhibit C: Referral response dated February 21, 2017, from Steve Mitchell, Principal Planner, City of Modesto Community & Economic Development Department.



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Ms. Kristin Doud
Associate Planner
Stanislaus County
Planning & Community Development
1010 10th Street, Suite 3400
Modesto, CA 95354

Dear Ms. Doud,

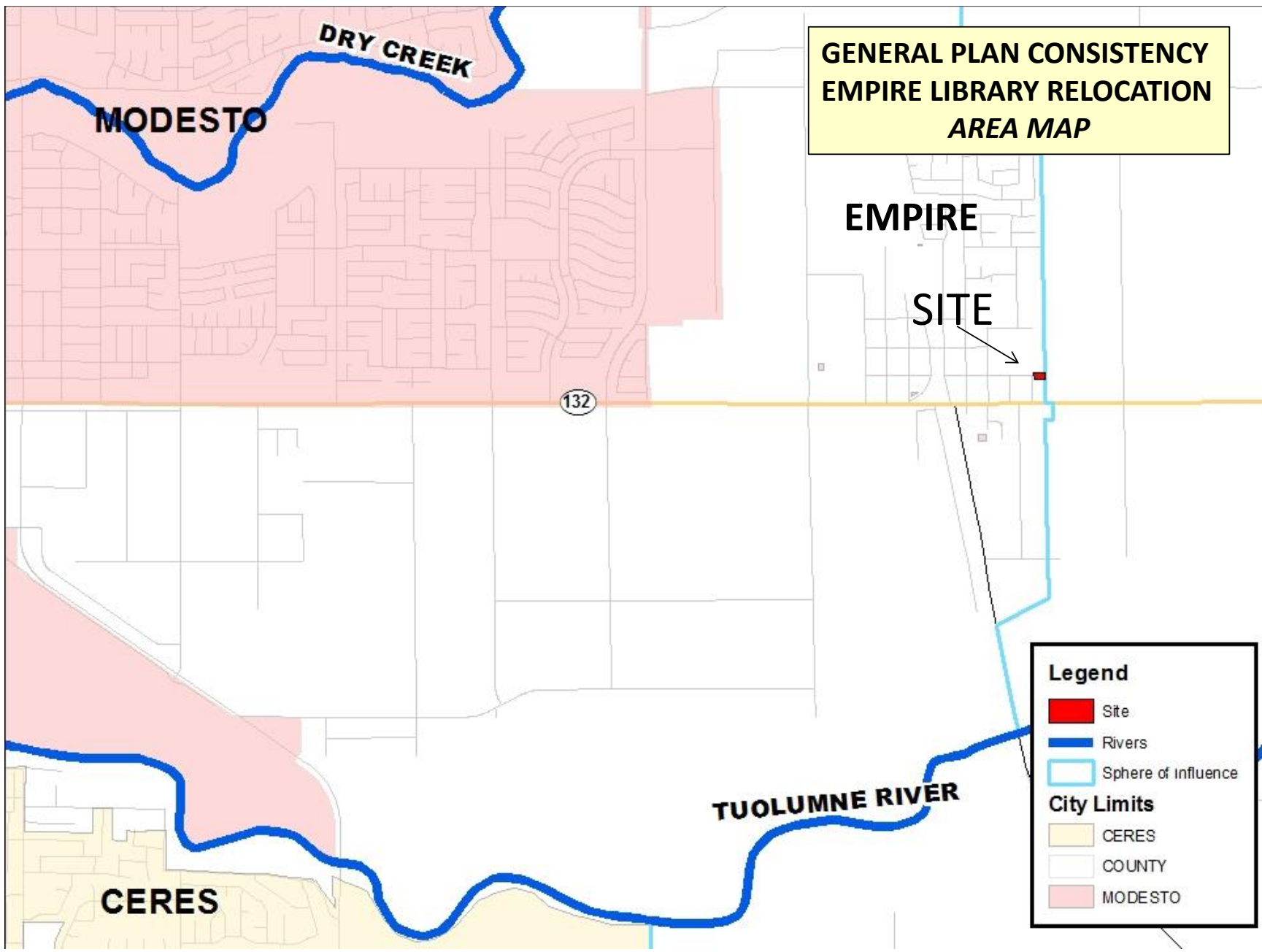
I am requesting a General Plan Consistency Determination from Stanislaus County for parcel 133-014-021 for the purpose of relocating the Stanislaus County Empire Library branch to that site. The parcel is currently owned by the Empire Community Hall Association who intends to donate the property to Stanislaus County. The property is located in the R-1 Zoning District; however, the historically, the site has been used as a community hall. The County believes this site is ideal for relocating the Empire Library Branch because of its proximity to the Empire Community Pool. Prior to receiving the property as a donation, the General Plan Consistency Determination must occur.

Thank you for your assistance.

Regards,

Patrick Cavanah
Management Consultant
Stanislaus County Chief Executive Office

**GENERAL PLAN CONSISTENCY
EMPIRE LIBRARY RELOCATION
AREA MAP**



Legend

- Site
- Rivers
- Sphere of Influence
- City Limits**
- CERES
- COUNTY
- MODESTO

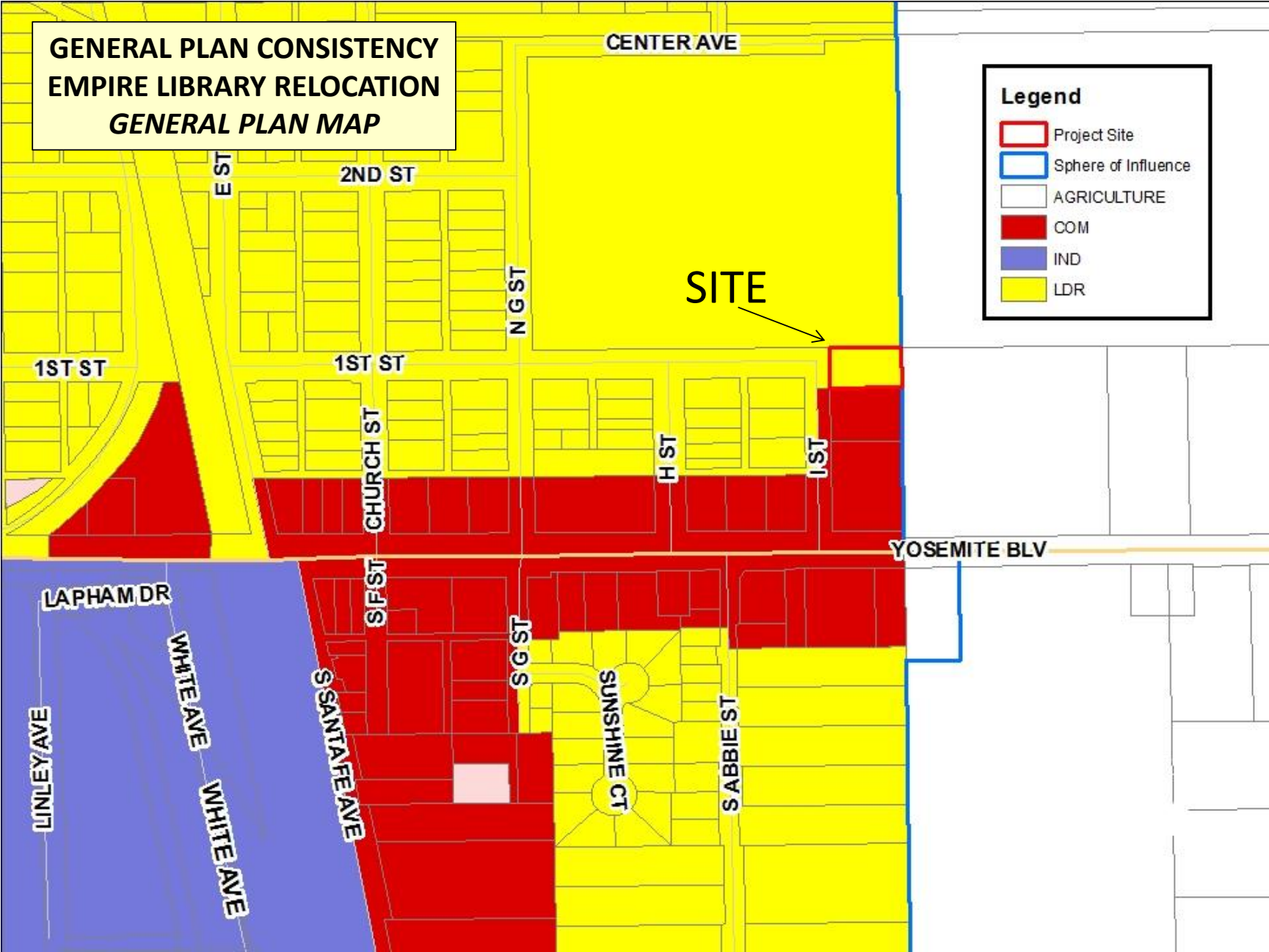
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EXHIBIT B

**GENERAL PLAN CONSISTENCY
EMPIRE LIBRARY RELOCATION
GENERAL PLAN MAP**

Legend

- Project Site
- Sphere of Influence
- AGRICULTURE
- COM
- IND
- LDR



SITE

5

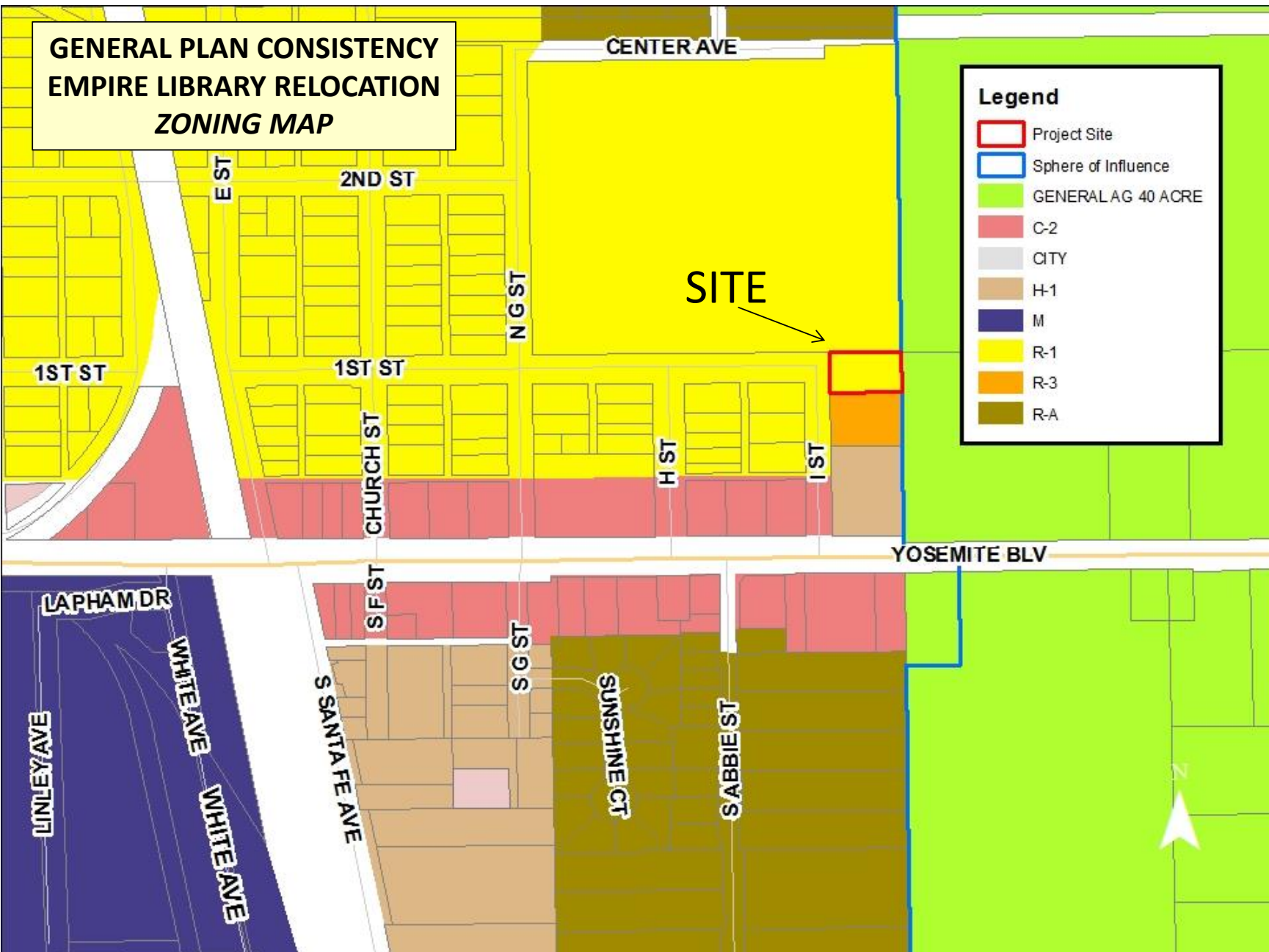
EXHIBIT B-1

**GENERAL PLAN CONSISTENCY
EMPIRE LIBRARY RELOCATION
ZONING MAP**

Legend

- Project Site
- Sphere of Influence
- GENERAL AG 40 ACRE
- C-2
- CITY
- H-1
- M
- R-1
- R-3
- R-A

SITE



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EXHIBIT B-2

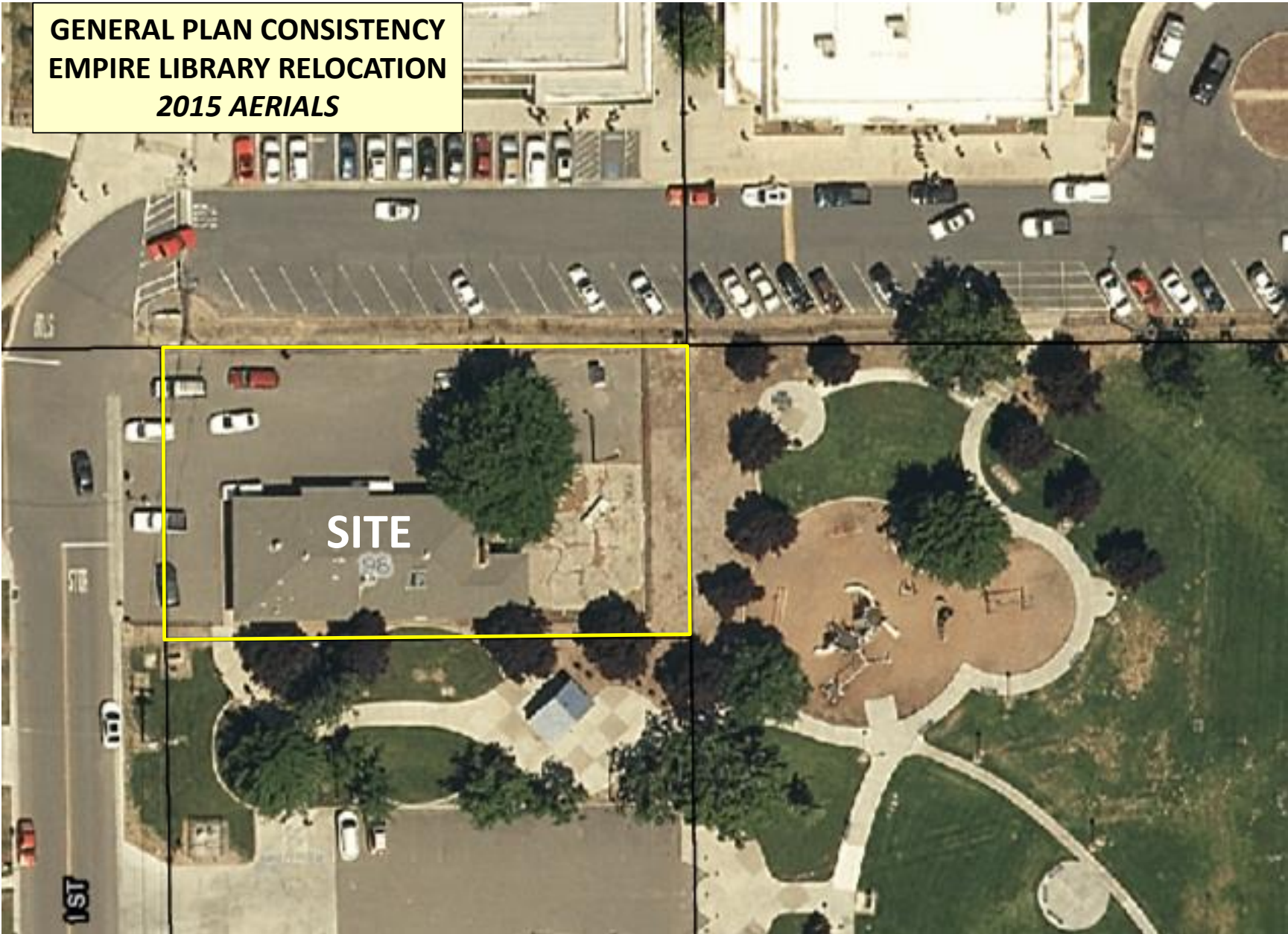
**GENERAL PLAN CONSISTENCY
EMPIRE LIBRARY RELOCATION
2015 AERIALS**



SITE



**GENERAL PLAN CONSISTENCY
EMPIRE LIBRARY RELOCATION
2015 AERIALS**



Miguel Galvez - Empire Library Relocation

From: Steve Mitchell <smitchell@modestogov.com>
To: Miguel Galvez <GALVEZM@stancounty.com>
Date: 2/21/2017 5:04 PM
Subject: Empire Library Relocation
CC: Patrick Kelly <pkelly@modestogov.com>

Miguel,

The City of Modesto has reviewed the proposed relocation of the Empire Library and has determined that the project is consistent with the City's General Plan.

Steve Mitchell

Principal Planner
City of Modesto
Community & Economic Development Dept.
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