Atascadero City Council

Staff Report - Community Development Department

Staff Authorization to Process General Plan Amendment Applications for:

 Wal-Mart Supercenter
 PLN 2007-1245 / GPA 2007-0020
 (Wal-Mart Stores, Inc.)

 and 

 The Annex Shopping Center
 PLN 2007-1246 / GPA 2007-0021
 (Rottman Group / EDA)

(Staff is seeking direction from Council on these applications.)

RECOMMENDATIONS:

The Council:

1. Direct staff to process one or both of the project applications by adopting Draft Resolutions A and/or B. This action would include directing staff to return to the City Council for a Specific Plan project boundary approval.

 OR

2. Withhold authorization for staff to process one or both of the project applications by adopting draft Resolution C and/or D. Withholding authorization for staff to process the applications does not deny the applications.

 OR
3. Refer one or both of the applications back to staff for additional analysis or clarification of specific issues. The Council should provide clear direction on issues that require additional analysis.

DISCUSSION:

Background: Council policy requires that the City Council authorize staff to process all General Plan Amendment applications. The Council’s policy also requires all General Plan Amendments to be reviewed and processed in a manner to facilitate citizen participation. As such, staff has outlined an approach for Council action that is consistent with General Plan Amendment policy. Under this approach, the Council has the ability to receive this initial staff report, hearing public testimony on the proposed applications, and then either: (1) direct staff to process the project applications; or (2) withhold staff authorization to process one or both of the applications which would result in no further action related to the project.

For these applications, the Council General Plan Amendment policy suggests the following process if the Council directs staff to process one or both of the applications:

1. **Council Follow Up Meeting**
   Staff to return to City Council with specific plan project boundary for Council approval.

2. **Neighborhood Community Meeting**
   The applicant is required to hold a community meeting to solicit public concerns and discuss issues related to the General Plan Amendments. The applicant is responsible for organizing and conducting the meeting and attempting to resolve as many issues as possible.

3. **Joint Study Session.**
   A joint City Council/Planning Commission study session, along with general plan and environmental analysis will be required early in the project review process. Comments from the Planning Commission and the public will be incorporated in the project to the extent possible.
Project Summary:
The City of Atascadero has received two separate General Plan Amendment applications for both a Wal-Mart Supercenter and The Annex Shopping Center, located adjacent to each other at the Del Rio Road / El Camino Real intersection. The overall project site plan and boundary are shown below.

Wal-Mart Super Center (PLN 2007-1245)

1. Applicant: EDA Design Professionals
   1998 Santa Barbara Street
   San Luis Obispo, CA 93401

2. Owner: Walmart Stores, Inc.
   2001 S.E. 10th Street
   Bentonville, AR 72716

3. Project Addresses: 2005, 2055, 2115, 2205, 2325, 2375, 2405 El Camino Real
   and 4999, 5505, 5705, 5701 Del Rio Road

5. General Plan Designations:
   - 11.0± acres: GC - General Commercial
   - 2.0± acres: HDR – High Density Residential
   - 10.5± acres: MDR- Medium Density Residential
   - 2.0± acres: SE – Suburban Estates

6. Zoning District:
   - 11.0± acres: CR (Commercial Retail)
   - 2.0± acres: RMF-16 (Residential Multi-family 16 units / acre)
   - 10.5± acres: RMF- 10 / PD-7 (Residential Multi-family 10 units / acre with Planned Development 7 Overlay)
   - 2.0± acres: RS (Residential Suburban)

7. Existing Use: Primarily vacant with one un-inhabited single family Colony house.

The Wal-Mart project consists of a request for a General Plan Land Use Diagram Amendment from SE, MDR, and HDR (Suburban Estate, Medium and High Density Residential) to GC (General Commercial) of a 26.5± acre site. Wal-Mart’s application proposes a 184,195± square-foot general merchandise and grocery store building with a 10,563± square-foot outdoor garden center for a total store area of 194,758± square feet. The site also includes two retail/restaurant building pads along El Camino Real. The larger pad could accommodate a 10,000± square-foot building and parking. The smaller pad could accommodate a 6,500± square-foot building with associated parking. Site plans indicate the entire site would be terraced to create a 1,078± space parking lot with two driveways on El Camino Real and two driveways on Del Rio Road. The grading plans call for approximately 380,000 cubic yards of cut on the Wal-Mart site.
Approximately 30,000 square foot area:
Approximately 10,000 square foot building

Approximately 20,000 square foot area:
Approximately 6,500 square foot building
The Annex Shopping Center (PLN 2007-1246)

1. Owner/Applicant: The Rottman Group
   1065 Higuera Street
   San Luis Obispo, CA 93401

2. Project Addresses: 1905, 1829, 1831, 1843, 1800, and 1725 El Camino Real / 5510 and 5700 Del Rio Road

3. Assessor Parcel Numbers: 049-102-020, 031, 032, 045, 048, 050, 056 and 049-131-070

4. General Plan Designations: 10.0± acres: GC - General Commercial
                              1.0± acres: CPK – Commercial Park
                              4.0± acres: SFR-X – Single-Family Residential - X

5. Zoning District: 10.0± acres: CR (Commercial Retail)
                    4.0± acres: RSF-X – Residential Single Family - X
                    1.0± acres: CPK – Commercial Park

6. Existing Use: Primarily vacant with one un-inhabited single family Colony house.

The Annex project consists of a request for a General Plan Land Use Diagram Amendment of approximately 5± acres of SFR-X (Single-Family Residential-X) and approximately 2± acres of CPK (Commercial Park) to GC (General Commercial). The Annex application would allow 115,850± square feet of commercial buildings on separate parcels totaling 15± acres of land.
The Annex Conceptual Site Plan

**SUMMARY**

**Parcel 1**
- Land: 9.97 AC = 434,302 SF
- Building: 103,350 SF
- Parking Provided: 552 Spaces
- Parking Ratio: 5.34/1000

**Parcel 2**
- Land: 1.73 AC = 75,579 SF
- Building: 12,500 SF
- Parking Provided: 127 Spaces
- Parking Ratio: 10.16/1000

Parking Field Tree
Entry Tree
Street Tree
Parking Light Standard
Analysis:

Summary: A complete project analysis that accurately assesses the benefits and impacts of the proposed projects would require significant time and staff resources to complete. Since staff has not been authorized to process the applications, staff has not prepared an analysis of the proposed projects. The following is a brief summary of the projects as submitted by the applicants. The project plans, maps, and justification statement have been attached for the Council's information.

The proposed Wal-Mart application is for the construction of a 194,758± square-foot Wal-Mart Supercenter Store. The proposed Annex project application is for 115,850± square feet of commercial buildings located north of the Del Rio Road/El Camino Real intersection on the east and west side of El Camino Real. A General Plan Land Use Element text amendment would also be required to allow a commercial project over 150,000 square feet in this location.
General Plan Land Use Diagram Amendment:

The following exhibits identify General Plan designations for the Wal-Mart and The Annex project sites. Wal-Mart is proposing to change the land use designations of approximately 14± acres and The Annex is proposing to change approximately 5± acres.

Wal-Mart Amendment Request:

Amendment of 14± acres of HDR, MDR, and SE (High Density Residential, Medium Density Residential, and Suburban Estates) to GC (General Commercial).

General Plan Land Use Diagram Net Changes:

- 2.0± acres: HDR – High Density Residential
- 10.5± acres: MDR – Medium Density Residential
- 2.0± acres: SE – Suburban Estates
+ 14± acres: GC-General Commercial
+ 11.0± acres: GC - General Commercial (existing)

Total 26± acres of GC (General Commercial)

A General Plan Text Amendment would also be required to allow a commercial center of over 150,000 square feet on the project site.
The Annex Amendment Request:

Amendment of 5± acres of SFR-X and CPK (Single-Family Residential – X and Commercial Park) to GC (General Commercial).

General Plan Land Use Diagram Net Changes:

- 2± acres: CPK – Commercial Park
+ 5± acres GC- General Commercial
+ 10± acres GC- General Commercial (existing)

Total 15± acres of GC (General Commercial)
Specific Plan and Entitlements

The adoption of a Specific Plan is the preferred approach for implementing a master plan to regulate development within the overall project area. The Specific Plan would become the regulatory document that implements the General Plan and its policies/programs, as well as establishes the standards by which development shall occur within the plan area. A Specific Plan would incorporate precise design standards and guidelines that would supersede the City’s existing zoning code, public works standards, and other regulations. The Specific Plan would also provide policies for the installation and financing of infrastructure throughout the project area. This process is similar to a Planned Development Overlay Zone.

State law allows the City the option to adopt a Specific Plan by ordinance or resolution as long as it is consistent with the applicable elements of the General Plan. The following State law excerpt identifies the content requirements for specific plans (State Code Section 65451):

(a) A Specific Plan shall include a text and a diagram or diagrams that specify all of the following in detail:

1. The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan.
2. The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.
3. Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.
4. A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out paragraphs 1), 2), and 3).

(b) The Specific Plan shall include a statement of the relationship of the Specific Plan to the General Plan.

The two applications each have specific project boundaries as previously identified. However, there are surrounding properties that could be included in a larger overall project area that could be analyzed within the context of a Specific Plan. This issue will be analyzed and returned to Council for direction if staff is directed to process the applications.

Environmental Review / CEQA:

Although no environmental review has begun, any decision to process one or both projects will require analysis in conformance with the California Environmental Quality Act (CEQA). If a Specific Plan is processed, staff anticipates an Environmental Impact Report (EIR) will be required. The EIR would be processed simultaneously with the Specific Plan and would contain analysis on the proposed applications as well as
various project alternatives that could feasibly attain most of the project objectives. Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the applicants can reasonably acquire control or otherwise have access to the alternative site. An alternative studying a smaller Wal-Mart store would likely be included in the EIR. The EIR would also include a no project alternative which would allow the Council to compare the impacts of approving the proposed project with the impacts of not approving the proposed project or any of the project alternatives.

Due to the comprehensive scope of an EIR, its preparation would require an experienced and qualified professional consultant under contract and management by the City. The cost of preparing the EIR and Specific Plan will be the full responsibility of the applicants.

Design and Architectural Issues:

The Annex and Wal-Mart have submitted preliminary design concepts. The site and architectural designs are similar to displays presented by both applicant’s at the City’s “Just Listening” (open house to the public on August 14 and 15, 2007), and are attached for the Council’s information. Staff has not prepared an analysis of the proposed architectural concept.

Wal-Mart Architectural Concept
Traffic Impacts:
The project is expected to have traffic impacts to El Camino Real, Del Rio Road, and the U.S. Highway 101/Del Rio Road interchange. The magnitude of these impacts is unknown at this time and will require project-specific analysis by a traffic consultant. Other area local roads within the vicinity will also require analysis. These impacts would be analyzed in the project EIR.

Native Tree Impacts and Grading:

Although an arborist’s report has not been prepared for either site, a biology report was submitted and identifies native oak tree impacts that will require mitigation under the City’s native tree ordinance. Based on the grading plan, it appears that most native trees will need to be removed. The grading plans call for approximately 380,000 cubic yards of cut on the Wal-Mart site. Of that number, approximately 150,000 cubic yards of fill will be used on the Wal-Mart site and approximately 100,000 cubic yards of fill will be used on the Annex site. The significance of these impacts will be analyzed in the project EIR.

Fiscal Impact:

Typically, commercial projects have a positive fiscal impact on City revenues. However, at this time, staff is unable to speculate on the significance of this impact. Part of the project’s EIR review will include a fiscal impact analysis. The purpose of the analysis will be to analyze all of the project’s costs and revenues and provide the Council with a complete picture of the project’s fiscal impacts on both the City of Atascadero and the local business community.
**ATTACHMENTS:**

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V. JUSTIFICATION FOR GENERAL PLAN AMENDMENT

Approval of the requested General Plan amendment to permit the development of the Store represents sound urban and financial planning by the City of Atascadero. It has been widely reported that the City currently lacks a strong commercial locus to complement and support the downtown area. As a result, Atascadero’s residents currently do much of their shopping outside the City limits – significantly benefiting neighboring jurisdictions such as Paso Robles.

Atascadero has exacerbated its tax “leakage” problem by re-zoning approximately 85 acres from commercial to residential over the course of the last five (5) years. This dramatic shift has eroded the City’s ability to collect sufficient sales tax revenue to fund the public services and infrastructure needed to support a growing population. A recent report by the University of California Santa Barbara highlighted the City’s fiscal downturn, noting that taxable sales in Atascadero declined from $351.5 million in 2005 to $346.3 million in 2006.6

With taxable sales in downtown Atascadero also reportedly down 11 percent last year,7 it has become clear that the lack of a magnetic commercial center is also hindering local businesses’ ability to attract and retain customers.

The Wal-Mart Supercenter provides an opportunity for Atascadero to re-establish a healthy commercial/residential zoning balance. In addition to attracting much needed tax revenue, the Supercenter will satisfy the long time demands of residents for a grocery store in the northern part of the City, while offering a broad array of convenient and low cost shopping options. The commercial component will be complemented by desirable restaurants and/or retail options contained on the Site’s two out-parcels. By approving the proposed General Plan amendment and embracing the concept of an Annex development with a Supercenter anchor, the City will provide much needed services in North Atascadero, strengthen the downtown by encouraging residents to shop locally, improve the City’s fiscal outlook, and correct the existing residential/commercial zoning imbalance.
V. Justification for General Plan Amendment

The Atascadero General Plan seeks to “designate and protect the east side of the Del Rio Road and El Camino Real intersection for a master planned retail commercial use”.

The City’s commercial land inventory does not currently provide a great number of opportunities for large commercial establishments of quality and substance. Further, in order to achieve the diversity and patronage of reputable franchises, sufficient market base must exist in the vicinity. The Annex site, with the inclusion of the Wal-Mart Supercenter, provides the potential to establish a wide variety of merchandise and services within an area that provides adequate pedestrian access, public infrastructure, market base, and roadway exposure. The presence of a regional commercial center in this area will also provide additional sales potential for existing businesses in the downtown area.

The Atascadero Municipal Code states that the Commercial Retail zoning district was “established to provide for a wide range of commercial uses to accommodate most of the retail and service needs of the residents of the City and surrounding areas”. The Annex development allows for the expansion of goods and services consistent with neighboring commercial and residential needs as identified for the Commercial Retail land use. The proposed development will draw travelers enroute to other destinations, recapturing sales currently allocated to neighboring cities, transitioning an underutilized site to a superior land use and maximizing the site’s economic potential.

The Annex development as proposed results in a revitalization of commercial uses in the immediate vicinity as well as outlying commercial establishments, expands and diversifies the community’s employment base through facilitation of year round employment opportunities, and substantially increases the City’s tax base and re-development funds resulting in enhanced economic stability for the City overall.
DRAFT RESOLUTION A


WHEREAS, an application has been received from EDA Design Professionals, 1998 Santa Barbara Street, San Luis Obispo, CA 93401 (Applicant) and Wal-Mart Stores, Inc. 2001 S.E. 10th Street, Bentonville, AR 72716-0550 (Property Owner), to consider a project consisting of a General Plan Land Use Diagram and Text Amendment for a 194,758 square foot Commercial development project with two additional retail/restaurant building pads located at the southeast corner of El Camino Real and Del Rio Road. (APN: 049-112-002, 018, 019, 022, 036, 039, 049-151-005, 036, 037, 040, 041); and,

WHEREAS, the Atascadero City Council considered authorizing staff to process the proposed application at a public meeting on October 23, 2007 consistent with the City’s General Plan Amendment Policy; and,

NOW THEREFORE, the City Council of the City of Atascadero, hereby resolves to authorize staff to process the requested General Plan Land Use Diagram and Text Amendment for Wal-Mart Stores, Inc. (APN: 049-112-002, 018, 019, 022, 036, 039, 049-151-005, 036, 037, 040, 041), and a General Plan Text Amendment to allow a commercial store of approximately 195,000± square feet with two outpads to accommodate an approximately 10,000± square foot building and 6,500± squarefoot building on the project site. The General Plan shall be processed concurrently with a Specific Plan for the commercial area surrounding Del Rio and El Camino Real intersection. Community workshops and joint Planning Commission and City Council study sessions will be required. Staff will return to the City Council with a detailed project description and a defined Specific Plan project area, subject to the following exhibits:

Exhibit A: Wal-Mart - Location Map, General Plan and Zoning
Exhibit B: Wal-Mart - Existing Project Site Aerial
Exhibit C: Wal-Mart - Proposed Conceptual Site Plan
Exhibit D: Wal-Mart - Proposed Conceptual Elevations
Exhibit E: Wal-Mart - Floor Plans
Exhibit F: Wal-Mart - Grading Plan
On motion by Council Member _________________________, and seconded by Council Member ________________________, the foregoing resolution is hereby adopted in its entirety by the following roll call vote:

AYES: (   )

NOES: (   )

ABSTAIN: (   )

ABSENT: (   )

ADOPTED:

CITY OF ATASCADERO, CA

_______________________________________
Dr. George Luna
Mayor

ATTEST:

_______________________________________
Marcia McClure Torgerson, C.M.C., City Clerk

APPROVED AS TO FORM:

_______________________________________
Robert Schultz, Interim City Attorney
EXHIBIT A: Location Map, General Plan & Zoning – Wal-Mart Supercenter

- **Existing Designations**:
  - General Commercial
  - Commercial Retail

- **Proposed Designations**:
  - General Commercial/High Density Residential
  - Commercial Retail/Residential Multi-family

- **Area of conversion from Commercial Retail to Residential Multi-family**:
  - No land use or zone change proposed.
EXHIBIT C: Proposed Conceptual Site Plan – Wal-Mart Supercenter
EXHIBIT H: Proposed Utility Plan – Wal-Mart Supercenter
DRAFT RESOLUTION B


WHEREAS, an application has been received from EDA Design Professionals, 1998 Santa Barbara Street, San Luis Obispo, CA 93401 (Applicant), and The Rottman Group, 1065 Higuera Street, San Luis Obispo, CA 93401 (Property Owner), to consider a project consisting of a General Plan Land Use Diagram Amendment for a Commercial development project located at the northeast corner of El Camino Real and Del Rio Road. (APN: 049-102-020, 031, 032, 045, 048, 050, 056, and 049-131-070); and,

WHEREAS, the Atascadero City Council considered authorizing staff to process the proposed application at a public meeting on October 23, 2007 consistent with the City’s General Plan Amendment Policy; and,

NOW THEREFORE, the City Council of the City of Atascadero, hereby resolves to authorize staff to process the requested General Plan Land Use Diagram Amendment for The Annex development project. (APN: 049-102-020, 031, 032, 045, 048, 050, 056, and 049-131-070) and a General Plan Text Amendment to allow eight retail buildings, totaling approximately 115,000± square feet, on the project site. The General Plan shall be processed concurrently with a Specific Plan for the commercial area surrounding Del Rio and El Camino Real intersection. Community workshops and joint Planning Commission and City Council study sessions will be require. Staff will return to the City Council with a detailed project description and a defined Specific Plan project area, subject to the following exhibits:

- Exhibit A: The Annex - Location Map, General Plan and Zoning
- Exhibit B: The Annex - Existing Project Site Aerial
- Exhibit C: The Annex - Proposed Conceptual Site Plan
- Exhibit D: The Annex - Proposed Conceptual Floor Plans and Elevations
On motion by Council Member _________________________, and seconded by Council Member ________________________, the foregoing resolution is hereby adopted in its entirety by the following roll call vote:

AYES:       (   )

NOES:       (   )

ABSTAIN:    (   )

ABSENT:     (   )

ADOPTED:

CITY OF ATASCADERO, CA

_______________________________________
Dr. George Luna
Mayor

ATTEST:

_______________________________________
Marcia McClure Torgerson, C.M.C., City Clerk

APPROVED AS TO FORM:

_______________________________________
Robert Schultz, Interim City Attorney
EXHIBIT A: Location Map, General Plan & Zoning – The Annex Shopping Center

- Project Boundary: 15± acres
- SFR-X: 3±ac
- GC: 10±ac
- CPK: 2±ac
- El Camino Real
- Via Viento
- Via Ranchitos
- Via Ranchitos
- Highway 101
- Obispo Road
- Rio Rita

No land use or zone change proposed.
EXHIBIT D: Proposed Conceptual Elevations – The Annex Shopping Center
DRAFT RESOLUTION C


WHEREAS, a application has been received from EDA Design Professionals, 1998 Santa Barbara Street, San Luis Obispo, CA 93401 (Applicant) and Wal-Mart Stores, Inc., 2001 S.E. 10th Street, Bentonville, AR 72716-0550 (Property Owner), to consider a project consisting of a General Plan Land Use Diagram and Text Amendment for a 194,758± square foot Commercial development project with two additional retail/restaurant building pads located at the southeast corner of El Camino Real and Del Rio Road. (APN: 049-112-002, 018, 019, 022, 036, 039, 049-151-005, 036, 037, 040, 041); and,

WHEREAS, the Atascadero City Council considered authorizing staff to process the proposed application at a public meeting on October 23, 2007 consistent with the City’s General Plan Amendment Policy; and,

NOW THEREFORE, the City Council of the City of Atascadero, hereby resolves to withhold the authorization for staff to process the requested General Plan Land Use Diagram and Text Amendment for Wal-Mart Stores, Inc. (APN: 049-112-002, 018, 019, 022, 036, 039, 049-151-005, 036, 037, 040, 041), subject to the following exhibit:

Exhibit A: General Plan Diagram
On motion by Council Member ______________________, and seconded by Council Member ______________________, the foregoing resolution is hereby adopted in its entirety by the following roll call vote:

AYES: (   )

NOES: (   )

ABSTAIN: (   )

ABSENT: (   )

ADOPTED:

CITY OF ATASCADERO, CA

______________________________
Dr. George Luna
Mayor

ATTEST:

______________________________
Marcia McClure Torgerson, C.M.C., City Clerk

APPROVED AS TO FORM:

______________________________
Robert Schultz, Interim City Attorney
EXHIBIT A: General Plan Diagram

**Existing Designations:**
- General Commercial
- Commercial Retail

**Proposed Designations:**
- General Commercial/High Density Residential
- Commercial Retail/Residential Multi-family

**Area of conversion from Commercial Retail to Residential Multi-family:**
No land use or zone change proposed.

[Map showing project boundary, Del Rio Road, Rio Rita, El Camino Real, Highway 101, Del Rio Road, GC 11± ac, MDR 10.5± ac, SE 2± ac, MDR 2± ac, and El Camino Real.]
DRAFT RESOLUTION D


WHEREAS, an application has been received from EDA Design Professionals, 1998 Santa Barbara Street, San Luis Obispo, CA 93401 (Applicant), and The Rottman Group, 1065 Higuera Street, San Luis Obispo, CA 93401 (Property Owner), to consider a project consisting of a General Plan Land Use Diagram Amendment for a Commercial development project located at the northeast corner of El Camino Real and Del Rio Road (APN: 049-102-020, 031, 032, 045, 048, 050, 056, and 049-131-070); and,

WHEREAS, the Atascadero City Council considered authorizing staff to process the proposed application at a public meeting on October 23, 2007 consistent with the City’s General Plan Amendment Policy; and,

NOW THEREFORE, the City Council of the City of Atascadero, hereby resolves to withhold the authorization for staff to process the requested General Plan Land Use Diagram Amendment for The Annex development project. (APN: 049-102-020, 031, 032, 045, 048, 050, 056, and 049-131-070) subject to the following exhibit:

Exhibit A: General Plan Diagram
On motion by Council Member _________________________, and seconded by Council Member ______________________, the foregoing resolution is hereby adopted in its entirety by the following roll call vote:

AYES: (   )

NOES: (   )

ABSTAIN: (   )

ABSENT: (   )

ADOPTED:

CITY OF ATASCADERO, CA

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Dr. George Luna
Mayor

ATTEST:

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Marcia McClure Torgerson, C.M.C., City Clerk

APPROVED AS TO FORM:

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Robert Schultz, Interim City Attorney