



CITY OF ATASCADERO PLANNING COMMISSION AGENDA

**REGULAR MEETING
Tuesday, June 20, 2023
6:00 P.M.**

**City Hall Council Chambers
6500 Palma Avenue, 4th Floor
Atascadero, California 93422**

CALL TO ORDER

Pledge of Allegiance

ROLL CALL: Chairperson Jeff van den Eikhof
Vice Chairperson Tori Keen
Commissioner Jason Anderson
Commissioner Victoria Carranza
Commissioner Greg Heath
Commissioner Randy Hughes
Commissioner Dennis Schmidt

APPROVAL OF AGENDA

PUBLIC COMMENT (This portion of the meeting is reserved for persons wishing to address the Commission on any matter not on this agenda and over which the Commission has jurisdiction. Speakers are limited to three minutes. Please state your name for the record before making your presentation. The Commission may take action to direct the staff to place a matter of business on a future agenda.)

CONSENT CALENDAR (All items on the consent calendar are considered to be routine and non-controversial by City staff and will be approved by one motion if no member of the Commission or public wishes to comment or ask questions.)

1. APPROVAL OF THE DRAFT MINUTES OF JUNE 6, 2023

- **Recommendation:** Commission approve the June 6, 2023 Minutes.

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PLANNING COMMISSION BUSINESS**COMMUNITY DEVELOPMENT STAFF REPORTS****PUBLIC HEARINGS**

(For each of the following items, the public will be given an opportunity to speak. After a staff report, the Chair will open the public hearing and invite the applicant or applicant's representative to make any comments. Members of the public will be invited to provide testimony to the Commission following the applicant. Speakers should state their name for the record and can address the Commission for three minutes. After all public comments have been received, the public hearing will be closed, and the Commission will discuss the item and take appropriate action(s).

DISCLOSURE OF EX PARTE COMMUNICATIONS:

Prior to a project hearing, Planning Commission Members must disclose any communications they have had on any quasi-judicial agenda items. This includes, but is not limited to, Tentative Subdivision Maps, Parcel Maps, Variances, Conditional Use Permits and Planned Development Permits. This does not disqualify the Planning Commission Member from participating and voting on the matter, but gives the public and applicant an opportunity to comment on the ex parte communication.

2. 10165 EL CAMINO REAL, CALIFORNIA MANOR

The proposed project is for an amendment to revise conditions for the affordable housing agreement condition to include moderate income units on APN 030-461-044. (AMND23-0050)

- Recommendation: Staff's recommendation is for the Planning Commission to approve the revised conditions.

3. 6225 ATASCADERO AVE, ABC CHURCH

The proposed project is for an amendment to the original use permit to revise conditions to consider allowing amplified sound on APN 030-192-018. (AMND22-0037)

- Recommendation: Staff's recommendation is for the Planning Commission to approve or deny the outdoor amplified music.

4. CONDITIONAL USE PERMIT FOR 6805 SYCAMORE ROAD (CONTINUED FROM 11-15-22)

The proposed project is a request to add an RV storage lot to an existing site for VSM Leasing & Rentals with an exception to minimum landscape standards on APN 028-121-001. (USE21-0107)

- Recommendation: Staff's recommendation is for the Planning Commission to allow a new business for outdoor recreational vehicle (RV) storage in the Industrial Park zone.

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COMMISSIONER COMMENTS AND REPORTS

DIRECTOR'S REPORT

ADJOURNMENT

The next regular meeting will be held on July 18, 2023 at 6:00 p.m. at City Hall, Council Chambers, 6500 Palma Ave, Atascadero, CA.

Please note: Should anyone challenge in court any proposed development entitlement listed on this Agenda, that person may be limited to raising those issues addressed at the public hearing described in this notice or in written correspondence delivered to the Planning Commission at, or prior to, this public hearing.

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*City of Atascadero***WELCOME TO THE ATASCADERO PLANNING COMMISSION MEETING**

The Planning Commission meets in regular session on the first and third Tuesday of each month at 6:00 p.m. at City Hall, Council Chambers, 6500 Palma Avenue, Atascadero. Matters are considered by the Commission in the order of the printed Agenda. Copies of the staff reports or other documentation relating to each item of business referred to on the Agenda are on file in the office of the Community Development Department and are available for public inspection during City Hall business hours at the Front Counter of City Hall, 6500 Palma Avenue, Atascadero, and on our website, www.atascadero.org. All documents submitted by the public during Commission meetings that are either read into the record or referred to in their statement will be noted in the minutes and available for review in the Community Development Department. Commission meetings are audio recorded, and may be reviewed by the public. Copies of meeting recordings are available for a fee. Contact the City Clerk for more information at (805) 470-3400.

TO SPEAK ON SUBJECTS NOT LISTED ON THE AGENDA

Under Agenda item, "PUBLIC COMMENT", the Chairperson will call for anyone from the audience having business with the Commission to approach the lectern and be recognized.

1. Give your name for the record (not required).
2. State the nature of your business.
3. All comments are limited to 3 minutes.
4. All comments should be made to the Chairperson and Commission.
5. No person shall be permitted to make slanderous, profane or negative personal remarks concerning any other individual, absent or present.

This is when items not on the Agenda may be brought to the Commission's attention. A maximum of 30 minutes will be allowed for Public Comment Portion (unless changed by the Commission).

TO SPEAK ON AGENDA ITEMS (from Title 2, Chapter 1 of the Atascadero Municipal Code)

Members of the audience may speak on any item on the agenda. The Chairperson will identify the subject, staff will give their report, and the Commission will ask questions of staff. The Chairperson will announce when the public comment period is open and will request anyone interested to address the Commission regarding the matter being considered to step up to the lectern. If you wish to speak for, against or comment in any way:

1. You must approach the lectern and be recognized by the Chairperson.
2. Give your name (not required).
3. Make your statement.
4. All comments should be made to the Chairperson and Commission.
5. No person shall be permitted to make slanderous, profane or negative personal remarks concerning any other individual, absent or present.
6. All comments limited to 3 minutes.

If you wish to use a computer presentation to support your comments, you must notify the Community Development Department at (805) 461-5035 at least 24 hours prior to the meeting. Digital presentations brought to the meeting should be on a USB drive or CD. You are required to submit to the Recording Secretary a printed copy of your presentation for the record. Please check in with the Recording Secretary before the meeting begins to announce your presence and turn in the printed copy.

The Chairperson will announce when the public comment period is closed, and thereafter, no further public comments will be heard by the Commission.

HOW TO SUBMIT PUBLIC COMMENT:

If you wish to comment, please email public comments to: pc-comments@atascadero.org by 12:00 pm on the day of the meeting. Such email **comments must identify the Agenda Item Number in the subject line of the email**. The comments will be forwarded to the Planning Commission and made a part of the administrative record. If a comment is received after the deadline for submission but before the close of the meeting, the comment will still be included as a part of the administrative record of the meeting but will be forwarded to the Planning Commission the next business day. **Please note, email comments will not be read into the record.**

AMERICAN DISABILITY ACT ACCOMMODATIONS:

Any member of the public who needs accommodations should contact the City Clerk's Office at cityclerk@atascadero.org or by calling 805-470-3400 at least 48 hours prior to the meeting or time when services are needed. The City will use their best efforts to provide reasonable accommodations to afford as much accessibility as possible while also maintaining public safety in accordance with the City procedure for resolving reasonable accommodation requests.

Planning Commission agendas and minutes may be viewed on the City's website: www.atascadero.org.

Copies of the staff reports or other documentation relating to each item of business referred to on the Agenda are on file in the Community Development Department and are available for public inspection on our website, www.atascadero.org. Contracts, Resolutions and Ordinances will be allocated a number once they are approved by the Planning Commission. The Minutes of this meeting will reflect these numbers. All documents submitted by the public during Planning Commission meetings that are either read into the record or referred to in their statement will be noted in the Minutes and available for review by contacting the Community Development Department. All documents are available for public inspection during City Hall business hours by appointment.

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CITY OF ATASCADERO PLANNING COMMISSION

DRAFT MINUTES

Regular Meeting – Tuesday, June 6, 2023 – 6:00 P.M.

City Hall

6500 Palma Avenue, Atascadero, California

CALL TO ORDER - 6:00 p.m.

Chairperson van den Eikhof called the meeting to order at 6:05 p.m. and Commissioner Hughes led the Pledge of Allegiance.

ROLL CALL

Present: Commissioners Anderson, Carranza, Heath, Hughes, Schmidt, Vice Chairperson Keen, and Chairperson van den Eikhof

Absent: None

Vacant: None

Others Present: Annette Manier, Recording Secretary

Staff Present: Community Development Director, Phil Dunsmore
Senior Planner, Kelly Gleason
Associate Planner, Mariah Gasch
Assistant Planner, Sam Mountain

APPROVAL OF AGENDA

MOTION: By Commissioner Hughes and seconded by Commissioner Anderson to approve the Agenda.

Motion passed 7:0 by a roll-call vote.

PUBLIC COMMENT

None.

Chairperson van den Eikhof closed the Public Comment period.

CONSENT CALENDAR**1. APPROVAL OF THE DRAFT MINUTES OF MARCH 21, 2023**

- Recommendation: Commission approve the March 21, 2023 Minutes.

MOTION: By Commissioner Schmidt and seconded by Commissioner Hughes to approve the Consent Calendar.

Motion passed 7:0 by a roll-call vote.

PLANNING COMMISSION BUSINESS

None

COMMUNITY DEVELOPMENT STAFF REPORTS

None

PUBLIC HEARINGS**2. CONSTRUCTION OF A NEW 60 x 40 METAL ACCESSORY STRUCTURE AT 7790 ARAGON ROAD**

The proposed project is for the construction of a 60x40 metal accessory structure on APN 028-401-014. (USE23-0043)

- Recommendation: Staff's recommendation is for the Planning Commission to approve the project.

DISCLOSURE OF EX PARTE COMMUNICATIONS:

None

Planner Mountain provided the staff report and stated that there is a change in Condition 8 to state that the cargo container shall be removed or permitted. Planner Mountain and Director Dunsmore answered questions from the Commission.

PUBLIC COMMENT

The following member of the public spoke: Matt Cruzat. Matt answered questions from the Commission.

Chairperson van den Eikhof closed the Public Comment period.

MOTION: By Commissioner Anderson and seconded by Commissioner Hughes to adopt draft

Resolution approving Minor Conditional Use Permit (CUP) USE23-0043, allowing the construction of an oversized accessory structure at 7790 Aragon Road as conditioned, and to include staff's recommendation for Condition 8.

***Motion passed 6:1 by a roll-call vote.
(Schmidt voted no)***

COMMISSIONER COMMENTS AND REPORTS

Commissioner Keen asked about the status of Winter's Garage, and Director Dunsmore addressed her question.

DIRECTOR'S REPORT

Director Dunsmore introduced the Masters Students in the Cal Poly's CRP program, who provided a presentation for Atascadero's future downtown concept/vision plan. Students handed out an Exhibit for Colony Gardens (Exhibit A). After the presentations, Commissioners asked questions, and provided comments.

Director Dunsmore stated that the agenda for June 20th will include an amendment for amplified sound at ABC Church, an RV storage lot on Sycamore, and a change to conditions for California Manor.

Director Dunsmore stated that zoning updates are forthcoming, and gave an update on the Marketplace project, the Barrel Creek project, and the Downtown Concept Plan.

ADJOURNMENT – 8:02 p.m.

The next regular meeting is scheduled for June 20, 2023, at City Hall, 6500 Palma Avenue, Atascadero.

MINUTES PREPARED BY:

Annette Manier, Recording Secretary
Administrative Assistant

The following Exhibit is available in the Community Development Department:
Exhibit A – Colony Gardens



Atascadero Planning Commission

Staff Report – Community Development Department

California Manor II Affordability Amendment AMND23-0050

RECOMMENDATION(S):

Planning Commission Adopt Draft Resolution amending California Manor II’s Master Plan of Development (PC Resolution 21-0014 and 22-0017) and approving AMND23-0050 to revise the affordability restrictions in California Manor II from 76 low income units to 76 Senior Housing units consisting of 67 “low income” units, 8 “moderate income” units and 1 manager unit, based on findings and subject to conditions of approval.

Project Info In-Brief:

PROJECT DESCRIPTION	The proposed project is to amend California Manor II’s Master Plan of Development to revise the number of required deed restricted units in California Manor II from 76 low income units to 76 affordable senior housing units consisting of 67 low income units with rents at or below 60% AMI, 8 units with rents at or below 80% AMI and 1 manager unit.			
PROJECT ADDRESS:	10165 El Camino Real	Atascadero, CA	APN	030-461-044
PROJECT PLANNER	Mariah Gasch	470-3446	mgasch@atascadero.org	
APPLICANT	Atascadero California Grand Manor, LP			
PROPERTY OWNER	Atascadero California Grand Manor, LP			
GENERAL PLAN DESIGNATION:	ZONING DISTRICT:	SITE AREA	EXISTING USE	PROPOSED USE
High Density Residential	RMF-24	1.78 acres	Vacant lot approved for 76 low income restricted senior housing units	67 low income units with rents at or below 60% AMI, 8 units with rents at or below 80% AMI and 1 manager unit
ENVIRONMENTAL DETERMINATION				
The action is exempt from the California Environmental Quality Act (CEQA) because it can be seen with certainty that there is no possibility that the enactment of this Ordinance would have a significant effect on the environment.				



DISCUSSION:

Existing Surrounding Uses

Existing Zoning		Existing Aerial / Surrounding	
North:	South:	East:	West:
RMF-24	RMF-24	RMF-24	El Camino Real and RMF-10

Background

The subject site is a part of a subdivision of one parcel into two with 76 condominium units on the resulting Parcel 2 as approved by the Planning Commission in November 2022. The parcel along El Camino Real is developed with one 95-unit apartment building that is deed restricted to persons within the low-income category. Parcel 2 is approved for a new three story, 76-unit, low-income senior (55+) housing development. Both the existing and the new building are to share 151 parking spaces.

This development project (new building and site amenities) on Parcel 2 (California Manor II) was approved by the Planning Commission on November 16, 2021. Per State law (sec. 65915), 100% affordable projects qualify for four automatic concessions related to development standards. The new development utilized three of their four allowed concessions. Since the project is utilizing these concessions they are required to record a deed restriction over both parcels to limit them to only being rented or sold as affordable, senior units as defined by Government Code Section 65915. The previous approvals required that all 171 units on the site be restricted as affordable to persons who qualify as “low income” as set by the County of San Luis Obispo’s affordable housing standards (Attachment 4). The applicant is now requesting to change the condition to include eight moderate income units in California Manor II along with one manager’s unit.



Analysis

Per State law (sec. 65915), 100% affordable projects qualify for concessions related to development standards. The applicant requested and was approved for the following concessions/ waivers:

- An increase in the allowed height of the new building to allow a 39' 8" height where the municipal code allows a maximum height of 35 feet with portions of the building over 25-feet tall to have additional setbacks;
- A reduction in required common open space for Parcel 1 from 28,500 square feet to 19,305 (67%) and for Parcel 2 from 22,000 square feet to 8,926 (40%) square feet,
- And a reduction in required landscape coverage from 25% to 18% lot coverage for Parcel 2.

The State Density Bonus Law also limits a municipality's ability to require onsite parking for housing developments for individuals who are 62+ when the development is within one-half mile, to fixed bus route service that operates at least eight times per day. The development is within ½ miles to the near Regional Transit Authority (RTA) stop. This stop operates more than 8 times per day on weekdays but less on weekends. However, Atascadero has a Dial-a-Ride service which also exempts senior housing developments from parking requirements.

Since the project is utilizing multiple incentives from the Density Bonus Law, they are required to record a deed restriction through the City that will run with the two lots for fifty-five years. Based on the concessions requested, the applicant must restrict the development to 100% affordable units, exclusive of a manager's units. However, up to 20% of the units in the development, including total units and density bonus units, may be for moderate-income households. The State defines low income as a family with 80% of the county median income and defines moderate income as 120% of county median income. Therefore, the request to convert eight of the units to a moderate affordable level does not impact the applicant's ability to receive the requested concessions. However, in order to meet required Regional Housing Needs (RHNA) numbers each year, the seeks low and very low-income units instead of moderate units. This is because it is easy to reach the required number of moderate units in each cycle, while the City often falls short on the required quota of low and very low units.

The previous condition stated the following:

A deed restriction shall be entered between the City of Atascadero and the applicant deed restricting all 171 units to low income affordable and ages 55+ for a term of no less than 55 years. This deed restriction shall be recorded prior to the issuance of building permits.

All 95 existing units of California Manor I will remain 100% low-income restricted. The applicant is requesting to revise the condition for the proposed new Cal Manor 2



apartments from 76 low-income units to 67 low income units, 8 moderate income units and 1 manager unit. The project would be a senior only housing project. Due to the parking modification previously approved, the senior affordability age will need to be changed from 55 years and up to 62 years and up. The condition in the draft resolution reflects this change.

This revision to the previously approved condition will aid the applicant in securing funding to construct the project. The revision will also remain consistent with the California State Density Bonus Law. However, this revision will have a slight impact on the City's RHNA for units that will be produced in the lower affordability levels. The Planning Commission has the ability to alter the project conditions in response to this request.

ALTERNATIVES:

1. The Planning Commission may include modifications to the project and/or conditions of approval for the project. Any proposed modifications including conditions of approval, should be clearly re-stated in any vote on any of the attached resolutions.

2. The Planning Commission may determine that more information is needed on some aspect of the project and may refer the item back to the applicant and staff to develop the additional information. The Commission should clearly state the type of information that is required. A motion, and approval of that motion, is required to continue the item to a future date.

3. The Planning Commission may deny the project. The Commission must specify what findings cannot be made, and provide a brief oral statement, based on the Staff Report, oral testimony, site visit, correspondence, or any other rationale introduced and deliberated by the Planning Commission.

ATTACHMENTS:

1. Draft Resolution
2. DEV21-0045 Planning Commission Staff Report
3. SBDV22-0077 Planning Commission Staff Report
4. County of San Luis Obispo's Affordable Housing Standards



**ATTACHMENT 1: Draft Resolution
AMND23-0050**

DRAFT PC RESOLUTION

**RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF ATASCADERO, CALIFORNIA,
APPROVING CALIFORNIA MANOR II'S MASTER PLAN OF
DEVELOPMENT (AMND23-0050) FOR 67 LOW INCOME UNITS, 8 MODERATE
INCOME UNITS AND 1 MANAGER UNIT**

**APN 030-461-044
CALIFORNIA MANOR II
ATASCADERO CALIFORNIA MANOR, LP
(AMND23-0050)**

WHEREAS, an application has been received from Atascadero California Grand Manor, LP (Applicant/ Owner), 1370 Jensen Ave. #B, Sanger, CA 93657, (AMND23-0050) to consider an amendment to the Master Plan of Development (PC Resolution 21-0014 and 22-0017) to revise the number of required deed restricted units in California Manor II from 76 low income units to 76 one hundred percent affordable senior housing units consisting of 67 low income units with rents at or below 60% AMI, 8 units with rents at or below 80% AMI and 1 manager unit; and

WHEREAS, the site has a General Plan Designation of High Density Residential (HDR); and

WHEREAS, the site is in the Residential Multi-Family 24 (RMF-24) zoning district; and

WHEREAS, the project qualifies for four automatic concessions Government code section 65915 related to development standards when applicant restricts the development to 100% low income, exclusive of a manager's units.

WHEREAS, up to 20% of the units in the development, including total units and density bonus units, may be for moderate-income households.

WHEREAS, Government code section 65915 requires the applicant to record a deed restriction through the City that will run with California Manor I and California Manor II for fifty-five years.

WHEREAS, the laws and regulations relating to the preparation and public notice of environmental documents, as set forth in the state and local guidelines for implementation of the California Environmental Quality Act (CEQA) have been adhered to; and

WHEREAS, a timely and properly noticed Public Hearing upon the subject Subdivision and Conditional Use Permit application was held by the Planning Commission of the City of Atascadero, at which hearing evidence, oral and documentary, was admitted on behalf of said Subdivision; and



NOW, THEREFORE, the Planning Commission of the City of Atascadero takes the following actions:

SECTION 1. Recitals. The above recitals are true and correct.

SECTION 2. Public Hearings. The Planning Commission held a duly noticed public hearing to consider the project on June 20, 2023 and considered testimony and reports from staff, the applicants, and the public.

SECTION 3. CEQA. This Ordinance is exempt from the California Environmental Quality Act (CEQA), Public resources Code Section 21000 et seq., because it can be seen with certainty that there is no possibility that the enactment of this Ordinance would have a significant effect on the environment (Pub. Resources Code § 21065; CEQA Guidelines §§ 15378(b)(4), 15061(b)(3)).

SECTION 4. Facts and Findings. The Planning Commission makes the following findings, determinations and approvals.

I. The Planning Commission finds as follows:

1. The proposed project is consistent with the General Plan; and

Fact: The High-Density Residential land use designation is designed to encourage housing types that increase density in the city. Additionally, the project is consistent with the Housing Element of the general plan, especially HOS Policy 1.3: *Encourage the production of housing, with particular emphasis on housing affordable to persons with disabilities, elderly, large families, female-headed households with children, and homeless individuals.*

Because this is a senior (62+) affordable housing development, the City will be providing necessary housing for its elderly population. Also, this affordable housing project will help the city reach its RHNA numbers for low-income housing before the deadline of 2028.

2. The proposed project or use satisfies all applicable provisions of the Zoning Ordinance; and

Fact: This proposed project was previously permitted through the Conditional Use Permit Process and was conditioned to meet all standards of the zoning code and State Density Bonus.

3. The establishment, and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use; and



Fact: The modification to affordability levels will not impact the site or the way the project is built.

- 4. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development; and

Fact: The modification of affordability levels will not change the physical characteristics of the site.

- 5. The proposed use or project will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved in conjunction with the project, or beyond the normal traffic volume of the surrounding neighborhood that would result from full development in accordance with the land use element; and

Fact: The modification of affordability levels will not impact traffic or circulation.

- 6. The proposed project is in compliance with any pertinent City policy or criteria adopted by ordinance or resolution of the City Council.

Fact: As conditioned, the projects meets all City and State development standards.

SECTION 5. Approval. The Planning Commission of the City of Atascadero, in a regular session assembled on June 20, 2023, resolves to approve an amendment to California Manor II's Master Plan of Development (AMND23-0050), subject to the following:

EXHIBIT A: Conditions of Approval

On motion by Commissioner _____, and seconded by Commissioner _____, the foregoing resolution is hereby adopted in its entirety by the following roll call vote:

AYES: ()
 NOES: ()
 ABSTAIN: ()
 ABSENT: ()
 ADOPTED:

CITY OF ATASCADERO, CA

 Jeff van den Eikhof
 Planning Commission Chairperson

Attest:

 Phil Dunsmore
 Planning Commission Secretary



EXHIBIT A: Conditions of Approval
SBDV 22-0077

Conditions of Approval California Manor II Apartments 10165 El Camino Real AMND23-0050	Timing BL: Business License FM: Final Map GP: Grading Permit BP: Building Permit FI: Final Inspection TO: Temporary Occupancy FO: Final Occupancy	Responsibility /Monitoring PS: Planning Services BS: Building Services FD: Fire Department PD: Police Department CE: City Engineer WW: Wastewater CA: City Attorney
Planning Services		
1. PC Resolutions 21-0014 and 22-0017 shall be amended to allow the number of required deed restricted units in California Manor II as 76 low income units to 76 one hundred percent affordable senior housing units consisting of 67 low income units, 8 moderate income units and 1 manager unit, subject to the conditions listed herein. All previous conditions approved as part of DEV21-0045 and SBDV22-0085 shall remain in effect unless specifically amended by this resolution. The project site is at 10165 El Camino Real (APN 030-461-044) and this approval shall be in effect regardless of owner.	Ongoing	PS
2. The appeal period is fourteen (14) days following the Planning Commission approval unless prior to the time, an appeal to the decision is filed as set forth in Section 9-1.111(b) of the Zoning Ordinance.	Ongoing	PS
3. The approval of this amendment shall become final and effective for the purposes of issuing building permits fourteen (14) days following the Planning Commission approval, unless an appeal to the decision is filed as set forth in Section 9-1.111(b) of the Zoning Ordinance.	FM	PS
4. The Community Development Department shall have the authority to approve minor changes to the project that (1) result in a superior site design or appearance, and/or (2) address a construction design issue that is not substantive to the Tentative Tract Map.	FM	PS
5. The applicant shall defend, indemnify, and hold harmless the City of Atascadero or its agents, officers, and employees against any claim or action brought to challenge an approval by the City, or any of its entities, concerning this conditional use permit.	Ongoing	PS
6. A deed restriction shall be entered between the City of Atascadero and the applicant deed restricting 93 units on Lot 1 of Tract Map 3204 as one hundred percent affordable senior housing units (ages 62+) consisting of 93 low income units with rents at or below 60% AMI, and 2 manager units as well as 76 units on Lot 2 of Tract Map 3204 as one hundred percent affordable senior housing units (ages 62+) consisting of 67 low income units with rents at or below 60% AMI, 8 units with rents at or below 80% AMI and 1 manager unit. The number of units deed restricted revised without amending the Master Plan of Development. Manager's units shall remain unrestricted as to rent and income.	Ongoing	PS



**ATTACHMENT 2: DEV21-0045 Planning Commission Staff Report
AMND23-0050**

Staff report viewable at:

<http://records.atascadero.org/WebLink/DocView.aspx?id=109470&dbid=0&repo=Atascadero>



**ATTACHMENT 3: SBDV22-0077 Planning Commission Staff Report
AMND23-0050**

Staff report viewable at:

<http://records.atascadero.org/WebLink/DocView.aspx?id=114958&dbid=0&repo=Atascadero>



**ATTACHMENT 4: County of San Luis Obispo's Affordable Housing Standards
AMND23-0050**



Affordable Housing Standards

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

County Government Center San Luis Obispo, California 93408 Telephone (805) 781-5600

This bulletin summarizes the county's affordable housing standards including maximum household incomes, home purchase prices and rents. It applies to new projects in both the Coastal and Inland portions of the County.

Income limits: The state defines family income groups as follows:

Acutely Low is defined by Section 50063.5 as 30% times 15% of county median income adjusted for family size appropriate for the unit

Extremely Low is defined by Section 50106 as 30% of county median income

Very Low Income is defined by Section 50105 as 50% of county median income

Low Income is defined by Section 50079.5 as 80% of county median income

Moderate Income is defined by Section 50093 as 120% of county median income

Workforce is defined by Title 22 of the County Code as 160% of county median income

The following income limits are effective as of May 13, 2022 (HCD annual update document):

[inc2k22.pdf \(ca.gov\)](#)

Persons in Household	Acutely Low	Extremely Low	Very Low Income	Low Income	Median Income	Moderate Income	Workforce
1	\$11,500	\$23,000	\$38,300	\$61,250	\$76,450	\$91,750	\$122,320
2	\$13,100	\$26,250	\$43,800	\$70,000	\$87,350	\$104,850	\$139,760
3	\$14,750	\$29,550	\$49,250	\$78,750	\$98,300	\$117,950	\$157,280
4	\$16,400	\$32,800	\$54,700	\$87,500	\$109,200	\$131,050	\$174,720
5	\$17,700	\$35,450	\$59,100	\$94,500	\$117,950	\$141,550	\$188,720
6	\$19,000	\$38,050	\$63,500	\$101,500	\$126,650	\$152,000	\$202,640
7	\$20,350	\$41,910	\$67,850	\$108,500	\$135,400	\$162,500	\$216,640
8	\$21,650	\$46,630	\$72,250	\$115,500	\$144,150	\$173,000	\$230,640

Sample maximum sales prices: (see footnotes)

Unit Size (Bedrooms)	Acutely Low	Extremely Low Income	Very Low Income	Low Income	Moderate Income	Workforce
Studio	17,000	\$52,000	\$99,000	\$147,000	\$284,000	\$394,000
1	22,000	\$62,000	\$120,000	\$170,000	\$327,000	\$453,000
2	27,000	\$72,000	\$133,000	\$194,000	\$371,000	\$512,000
3	32,000	\$83,000	\$150,000	\$217,000	\$414,000	\$571,000
4	36,000	\$91,000	\$163,000	\$236,000	\$448,000	\$618,000

Note 1: Homeowner association due (HOA) assumption per month is 150.00

Note 2: Mortgage financing assumed at a fixed rate for 30 years (HSH Associates) is 6.79%

Note 3: Prices shown are preliminary estimates and may be revised. Round to the nearest 1000th.

Note 4: Actual sales price limits will be determined by the County on a case-by-case basis.



Maximum rents: (see footnotes)

Unit Size (Bedrooms)	Acutely Low	Extremely Low Income	Very Low Income	Low Income	Moderate Income	Workforce
Studio	\$287	\$573	\$956	\$1,147	\$2,102	\$2,867
1	\$328	\$655	\$1,092	\$1,310	\$2,402	\$3,276
2	\$369	\$737	\$1,229	\$1,475	\$2,703	\$3,686
3	\$410	\$819	\$1,365	\$1,638	\$3,003	\$4,095
4	\$442	\$885	\$1,474	\$1,769	\$3,244	\$4,423

Note 1: The maximum rent limits shown above do not include adjustments for utilities. Refer to the utility allowance bulletin posted on the website of the Housing Authority of the City of San Luis Obispo.

Note 2: Rent limits are updated when the State issues its annual update to median incomes, generally in April of each year.





Atascadero Planning Commission

Staff Report – Community Development Department

AMND 22-0037
6225 Atascadero Ave / Atascadero Bible Church

RECOMMENDATION(S):

1. Adopt Draft Resolution A amending Atascadero Bible Church’s Master Plan of Development (PC Resolution 2005-0036) and approving AMND 22-0037 to allow outdoor amplified music, based on findings and subject to conditions of approval.

OR

2. Adopt Draft Resolution B denying an amendment to Atascadero Bible Church’s Master Plan of Development (PC Resolution 2005-0036) and AMND 22-0037, a request to allow outdoor amplified music, based on finding(s).

Project Info In-Brief:

PROJECT ADDRESS:	6225 Atascadero Ave	Atascadero, CA	APN	030-192-018
PROJECT PLANNER	Mariah Gasch Associate Planner	(805) 470-3436	mgasch@atascadero.org	
APPLICANT	Atascadero Bible Church			
PROPERTY OWNER	Atascadero Bible Church (ABC)			
GENERAL PLAN DESIGNATION:	ZONING DISTRICT:	SITE AREA	EXISTING USE	PROPOSED USE
Public	Public (P)	4 Acres	Church and School Facilities	Outdoor amplified music for church related activities in the Public zoning district.
ENVIRONMENTAL DETERMINATION				



ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE ATASCADERO
COMMUNITY DEVELOPMENT DEPARTMENT AT

<http://www.atascadero.org>
6500 PALMA AVENUE | ATASCADERO, CA 93422 | (805) 461-5000

<input type="checkbox"/> Environmental Impact Report SCH: _____ <input type="checkbox"/> Negative / Mitigated Negative Declaration No. _____ <input checked="" type="checkbox"/> Categorical Exemption CEQA – Guidelines Section 15301 <input type="checkbox"/> Statutory Exemption §§ 21000, et seq & _____ <input type="checkbox"/> No Project – Ministerial Project
--

DISCUSSION:

Existing Surrounding Uses / Parcel Configurations:

Existing Zoning		Existing Aerial	
			
North:	South:	East:	West:
Highway 101	Public (P)	Atascadero Creek	Residential Multi-family (RMF-10)

Project Description:

The project is a request to allow outdoor amplified music adjacent to the worship center at the existing Atascadero Bible Church. The applicant is requesting permission to conduct outdoor music services on Sunday, Tuesday, Wednesday, and Thursday at various times between 8am-8pm. The request would require an amendment to the Master Plan of Development for Atascadero Bible Church (ABC).

Background:

In 1999, Atascadero Bible Church developed the site with a main building consisting of a sanctuary, church offices, classrooms, and a family center. It was originally approved through Conditional Use Permit 12-89. In 2004, an amendment was approved to add a



two-story facility including classrooms, a multi-purpose assembly room, and meeting room, along with a small café adjacent to the church entrance. This Master Plan of Development was approved through a conditional use permit CUP 2004-0142 and also certified a Mitigated Negative Declaration 2005-0006 (Resolution PC 2005-0036). According to City records and records obtained from the Atascadero Historic Society, a portion of the existing main building, the current gymnasium, was one of the first buildings constructed at the founding of the Atascadero Colony and was part of E.G. Lewis's vision for the Civic Center of town.

ANALYSIS:

The proposed project consists of an amendment to the previous conditional use permit approvals. The applicant's request includes outdoor amplified music adjacent to the worship center at Atascadero Bible Church. The music would be played in the church's courtyard which is surrounded by the existing building on three sides. Proposed hours of operation are Sunday, Tuesday, Wednesday, and Thursday at various times between the hours of 8am-8pm.

Proposed Location of Amplified Sound



The Atascadero Municipal Code (AMC 9-14.13) allows amplified sound in the Public zone with an Administrative Use Permit (AUP). The Municipal Code also allows Churches and Related Activities in the Public Zone with a Conditional Use Permit (CUP). Since this project has an existing CUP for the church use, the outdoor amplified sound request is being processed as a conditional use permit amendment. The Planning Commission has the authority to approve, approve with modified conditions, or deny the requested amendment.



Parking:

Parking will not be affected, as there will be no increase in vehicular traffic. The amplified sound is anticipated to occur only during worship times, which will remain within the parameters of the existing CUP.

Neighborhood Compatibility:

In approving the amendment, findings must be made that the use is consistent with the General Plan and Zoning Ordinance, and that it will not be detrimental to the health, safety or welfare of the general public. Findings must also be made that the proposed use is consistent with the character of the immediate neighborhood. The character of the area directly adjacent to the church is made up of multi-family residences and public or quasi-public land uses. These include North County Christian School which is directly adjacent, located on the church's property, ECHO Homeless Shelter, and Atascadero High School. The church's property also abuts Atascadero Creek. On the opposite side of the creek reservation are additional residences along with another church. Based on the sound analysis completed by the applicant, the introduction of outdoor amplified sound may increase noise levels of the surrounding area during the proposed performance times. However, this location is within an area with very high noise exposure from Highway 101 due to traffic noise.

The proposed outdoor stage area is within the existing courtyard, surrounded by buildings and a parking lot and no modifications are proposed that will change the appearance or character of the property.

Noise:

According to the Atascadero Municipal Code (9-14.05), the hourly equivalent sound level (Leq, dB) from 7am to 9pm may not exceed 50 and the maximum dB allowed is 70 as measured at the nearest property line to the noise source.

The applicants provided self-tested decibel measurements at all nearby property lines that abut parcels with residential uses. At its source (if you were standing right in front of the band) the sound would emit approximately eighty-eight decibels. Along Atascadero Creek the noise levels are estimated at a maximum of sixty-five decibels. The project abuts Highway 101 which emits a level of noise that is over the average neighborhood range. According to the US Department of Transportation, levels of traffic noise typically range from 70 to 80 dB(A). Therefore, noise levels from the church may be similar or less than the ambient traffic noise those from the freeway.



Applicant provided noise decibel measurements (in dbA)
Atascadero Bible Church 02-02-2022

Property Line Decibel Measurements



Weighting Scale: dbA, Slow.
*Measurement taken during worship.

AMC 9-14.13 of the Municipal Code, section (b) contains the following limitations for amplified sound under a Use Permit:

1. Only music, human speech or a combination of the same shall be permitted.
2. The operation of sound amplifying equipment shall be limited to no greater than the hours of 8am to 7pm on weekdays, 9am to 6pm on Saturdays, and 10am-4pm on Sundays.
3. In all events, the volume of sound and the hours of operation shall be controlled that the sound will not be unreasonably loud or a nuisance as defined by the Atascadero Municipal Code.



4. Such conditions as are imposed on time of usage, level of volume, and quantity of equipment in the permit approval because of location of the usage.

The primary question for the Planning Commission is if the proposed use meets required findings number one and number four for maintaining the welfare of surrounding occupants and for neighborhood compatibility. If the Planning Commission determines that they cannot make the findings for the proposed use and chooses to deny the permit, Atascadero Bible Church will not be able to play or perform outdoor amplified sound.

Staff has included conditions in attached Resolution A consistent with the standards set forth in the Atascadero Municipal code, as highlighted below. While the applicant requested to operate between the hours of 8 am to 8 pm, staff has included a condition to ensure compliance with municipal code standards.

- The operation of sound amplifying equipment shall be limited to no greater than the hours of 8am to 7pm on weekdays and 10am-4pm on Saturdays and Sundays.
- Outdoor amplified sound shall be limited to a maximum total of 2 hours per day.
- Exterior Noise levels shall not exceed 70dB at the subject property's property lines.
- Outdoor amplified sound is only permitted from the month of March until the month of September, annually.
- The provision of outdoor amplified noise shall be subject to additional review upon receipt of noise or operational complaints. Additional mitigation may be warranted upon verification of recurring noise or operational disturbances that impact residential properties.

Should the Commission not be able to make the required findings for approval with conditions added, staff has included Draft Resolution B which has identified 2 findings for denial with facts to support those findings. Should the Commission deny the project, only one finding has to be made.

ENVIRONMENTAL DETERMINATION:

The proposed project is Categorically Exempt (Class 1) from the provisions of the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA") and CEQA Guidelines (Title 14 California Code of Regulations §§ 15000, et seq.) CEQA pursuant to CEQA Guidelines Section 15301, because it involves modifications to an existing project with no expansion of use.

FINDINGS:

To approve AMND 22-0037, the Planning Commission must make the following findings. These findings and the facts to support these findings are included in the attached resolution.

Conditional Use Permit (AMC Section 9-2.110(b).(3).(iv))



1. The proposed project or use is consistent with the General Plan;
2. The proposed project or use satisfies all applicable provisions of this title;
3. The establishment, and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use;
4. That the proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development; and
5. That the proposed use or project will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved in conjunction with the project, or beyond the normal traffic volume of the surrounding neighborhood that would result from full development in accordance with the land use element; and

ALTERNATIVES:

1. The Planning Commission may include modifications to the project and/or conditions of approval for the project. Any proposed modifications, including conditions of approval, should be clearly re-stated in any vote on any of the attached resolutions.
2. The Planning Commission may determine that more information is needed on some aspect of the project and may refer the item back to the applicant and staff to develop the additional information. The Commission should clearly state the type of information that is required. A motion, and approval of that motion, is required to continue the item to a future date.
3. The Planning Commission may deny the project. The Commission must specify what finding(s) cannot be made, and provide a brief oral statement, based on the Staff Report, oral testimony, site visit, correspondence, or any other rationale introduced and deliberated by the Planning Commission.

ATTACHMENTS:

1. Draft Resolution A
2. Draft Resolution B
3. Aerial Photo
4. Existing Site Layout
5. Site Photos



ATTACHMENT 1: Draft Resolution A
AMND 22-0037

DRAFT RESOLUTION A

**RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF ATASCADERO, CALIFORNIA,
APPROVING A CONDITIONAL USE PERMIT AMENDMENT (AMND 22-
0037) ALLOWING OUTDOOR AMPLIFIED SOUND IN THE PUBLIC
ZONING DISTRICT**

**APN 030-192-018
(Atascadero Bible Church)
6225 Atascadero Avenue**

WHEREAS, an application has been received from Atascadero Bible Church (6225 Atascadero Avenue, Atascadero, CA 93422) (AMND 22-0037) for an amendment to the Master Plan of Development (CUP 12-89 and CUP 2004-0142) approved in 1999 and amended in 2005 to allow Amplified Sound in the Public zoning district; and

WHEREAS, the site's General Plan Designation is Public (P); and

WHEREAS, the site's Zoning is Public (P); and

WHEREAS, the laws and regulations relating to the preparation and public notice of environmental documents, as set forth in the State and local guidelines for implementation of the California Environmental Quality Act (CEQA) have been adhered to; and

WHEREAS, a timely and properly noticed Public Hearing upon the subject application was held by the Planning Commission of the City of Atascadero at which hearing evidence, oral and documentary, was admitted on behalf of said Conditional Use Permit; and

NOW THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Atascadero, California, makes the following findings, determinations and recommendations with respect to the proposed Conditional Use Permit:

SECTION 1. Recitals: The above recitals are true and correct.

SECTION 2. Public Hearing. The Planning Commission of the City of Atascadero, at a Public Hearing held on June 20, 2023, studied and considered the proposed amendment.

SECTION 3. CEQA. The proposed project qualifies for a Categorical Exemption under Class 1, Section 15301, existing facilities projects, of the California Environmental Quality Act.

ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE ATASCADERO
COMMUNITY DEVELOPMENT DEPARTMENT AT

<http://www.atascadero.org>
6500 PALMA AVENUE | ATASCADERO, CA 93422 | (805) 461-5000

SECTION 4. Facts and Findings. The Planning Commission finds as follows:

Findings for approval of a Conditional Use Permit:

1. The proposed use is consistent with the General Plan; and

Fact: The proposed amplified outdoor music at this location is consistent with the Public zoning designation of the General Plan.

2. The proposed project satisfies all applicable provisions of the Title (Zoning Ordinance); and

Fact: As conditioned, the project satisfies the provisions of the Atascadero Municipal Code. The existing location is adequate to serve the proposed use.

3. The establishment, and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety, or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use; and

Fact: The proposed used is not detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use, with conditions incorporated.

4. That the proposed project will not be inconsistent with the character or the immediate neighborhood or contrary to its orderly development; and

Fact: The proposed amplified outdoor music would be adjacent to the worship center at the existing Atascadero Bible Church. The outdoor music addition will follow the conditioned hours to minimize impacts to the surrounding area. Outdoor amplified sound will be used to augment existing church activities and the request does not involve the expansion of use. The site will remain consistent with the character of the neighborhood as there are no proposed changes to the building.

5. That the proposed project will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved in conjunction with the project, or beyond the normal traffic volume of the surrounding neighborhood that would result from full development in accordance with the Land Use Element.

Fact: The project is located on Atascadero Avenue adjacent to HWY 101. Outdoor amplified sound will be used to augment existing church activities and the request does not involve the expansion of use. The amplified sound at the church will remain consistent with surrounding uses and will not bring an increase in traffic to the area.



SECTION 5. Approval. The Planning Commission of the City of Atascadero, in a regular session assembled on June 20, 2023, resolved to approve an amendment to allow outdoor amplified sound at an existing church facility (AMND22-0037) subject to the following:

- EXHIBIT A: Conditions of Approval
- EXHIBIT B: Acoustical Analysis

On motion by Commissioner _____, and seconded by Commissioner _____, the foregoing resolution is hereby adopted in its entirety by the following roll call vote:

- AYES: ()
- NOES: ()
- ABSENT: ()
- ABSTAINED: ()

ADOPTED:

CITY OF ATASCADERO, CA

Jeff van den Eikhof
Planning Commission Chairperson

ATTEST:

Phil Dunsmore
Planning Commission Secretary



Exhibit A: Conditions of Approval
AMND 22-0037

Conditions of Approval / Mitigation Monitoring Program 6225 Atascadero Avenue AMND 22-0037	Timing BL: Business License GP: Grading Permit BP: Building Permit FI: Final Inspection TO: Temporary Occupancy FO: Final Occupancy	Responsibility /Monitoring PS: Planning Services BS: Building Services FD: Fire Department PD: Police Department CE: City Engineer WW: Wastewater CA: City Attorney
Planning Services Conditions		
1. Conditional use permits 12-89 and CUP 2004-0142 shall be amended to allow for the addition of outdoor amplified sound, subject to the conditions listed herein. All previous conditions approved as part of CUP12-89 and CUP2004-0142 shall remain in effect unless specifically amended by this resolution. The project site is at 6225 Atascadero Ave. (APN030-192-018) and this approval shall be in effect regardless of owner.	Ongoing	PS
2. The approval of this use permit shall become final and effective for the purposes of issuing building permits fourteen (14) days following the Planning Commission approval, unless an appeal to the decision is filed as set forth in Section 9-1.111(b) of the Zoning Ordinance.	Ongoing	PS
3. The Community Development Department shall have the authority to approve the following minor changes to the project that (1) modify the site plan project by less than 10%, and/or (2) result in a superior site design or appearance.	BL	PS
4. Approval of this Conditional Use Permit shall be valid for twenty-four (24) months after its effective date. At the end of the period, the approval shall expire and become null and void unless the applicants have enacted the use. If the allowances of this approval (amplified sound) and not continued for a period of 2 consecutive years, this approval shall become null and void and a new application will be required to be filed to continue any such use.	BL	PS
5. The applicant shall defend, indemnify, and hold harmless the City of Atascadero or its agents, officers, and employees against any claim or action brought to challenge an approval by the City, or any of its entities, concerning this conditional use permit.	Ongoing	CA
6. Parking shall stay consistent with Municipal Code standards.	Ongoing	PS
7. Source of amplified outdoor sound shall not be located outside of the area identified in Exhibit B.	Ongoing	PS
8. Only music, human speech or a combination of the same shall be permitted.	Ongoing	PS
9. The operation of sound amplifying equipment shall be limited to no greater than the hours of 8am to 7pm on weekdays and 10am-4pm on Saturdays and Sundays.	Ongoing	PS

ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE ATASCADERO
 COMMUNITY DEVELOPMENT DEPARTMENT AT

<http://www.atascadero.org>
6500 PALMA AVENUE | ATASCADERO, CA 93422 | (805) 461-5000

ITEM 3
Atascadero Bible Church
AMND 22-0037

Conditions of Approval / Mitigation Monitoring Program 6225 Atascadero Avenue AMND 22-0037	Timing BL: Business License GP: Grading Permit BP: Building Permit FI: Final Inspection TO: Temporary Occupancy FO: Final Occupancy	Responsibility /Monitoring PS: Planning Services BS: Building Services FD: Fire Department PD: Police Department CE: City Engineer WW: Wastewater CA: City Attorney
10. Outdoor amplified sound shall be limited to a maximum total of 2 hours per day.	Ongoing	PS
11. Exterior Noise levels shall not exceed 70dB at the subject property's property lines.	Ongoing	PS
12. Outdoor amplified sound is only permitted from the month of March until the month of September, annually.	Ongoing	PS
13. In all events, the volume of sound and the hours of operation shall be controlled that the sound will not be unreasonably loud or a nuisance as defined by the Atascadero Municipal Code.	Ongoing	PS
14. The Use Permit shall be subject to additional review upon receipt of noise or operational complaints. Additional mitigation may be warranted upon verification of recurring noise or operational disturbances that impact residential properties.	Ongoing	PS



Exhibit B: Site Plan
AMND 22-0037



ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE ATASCADERO COMMUNITY DEVELOPMENT DEPARTMENT AT

<http://www.atascadero.org>
6500 PALMA AVENUE | ATASCADERO, CA 93422 | (805) 461-5000

Exhibit C: Acoustical Analysis
AMND 22-0037

Atascadero Bible Church

02-02-2022

Property Line Decibel Measurements



Weighting Scale: dbA, Slow.
*Measurement taken during worship.

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COMMUNITY DEVELOPMENT DEPARTMENT AT

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ATTACHMENT 2: Draft Resolution B
AMND 22-0037

DRAFT RESOLUTION B

**RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF ATASCADERO, CALIFORNIA,
DENYING A CONDITIONAL USE PERMIT AMENDMENT (AMND 22-
0037) FOR OUTDOOR AMPLIFIED SOUND IN THE PUBLIC ZONING
DISTRICT
APN 030-192-018
(Atascadero Bible Church)
6225 Atascadero Avenue**

WHEREAS, an application has been received from Atascadero Bible Church (6225 Atascadero Avenue, Atascadero, CA 93422) (AMND 22-0037) for an amendment to the Master Plan of Development (CUP 12-89 and CUP 2004-0142) approved in 1999 and amended in 2005 to allow Amplified Sound in the Public zoning district; and

WHEREAS, the site's General Plan Designation is Public (P); and

WHEREAS, the site's Zoning is Public (P); and

WHEREAS, the laws and regulations relating to the preparation and public notice of environmental documents, as set forth in the State and local guidelines for implementation of the California Environmental Quality Act (CEQA) have been adhered to; and

WHEREAS, a timely and properly noticed Public Hearing upon the subject Minor Conditional Use Permit application was held by the Planning Commission of the City of Atascadero at which hearing evidence, oral and documentary, was admitted on behalf of said Conditional Use Permit; and

NOW THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Atascadero, California, makes the following findings, determinations and recommendations with respect to the proposed Conditional Use Permit:

SECTION 1. Recitals: The above recitals are true and correct.

SECTION 2. Public Hearing. The Planning Commission of the City of Atascadero, at a Public Hearing held on June 20, 2023, considered the proposed use permit amendment.

SECTION 3. CEQA. The proposed project qualifies for a Categorical Exemption under Class 1, Section 15301, existing facilities projects, of the California Environmental Quality Act.

ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE ATASCADERO
COMMUNITY DEVELOPMENT DEPARTMENT AT

<http://www.atascadero.org>
6500 PALMA AVENUE | ATASCADERO, CA 93422 | (805) 461-5000

SECTION 4. Facts and Findings. The Planning Commission finds as follows:

Findings for Denial of a Conditional Use Permit:

1. The proposed use is consistent with the General Plan; and

Fact: The project is inconsistent with Land Use, Open Space and Circulation (LOC) Policies and Programs:

Goal SFN 6. Protect the citizens of Atascadero from the harmful and annoying effects of exposure to excessive noise.

Goal SFN 8. Preserve the tranquility of residential areas by preventing the encroachment of noise-producing uses.

2. That the proposed project will not be inconsistent with the character or the immediate neighborhood or contrary to its orderly development; and

Fact: The proposed amplified noise will conflict with the surrounding residential uses and cause an unnecessary disturbance to the residents.

SECTION 5. Denial. The Planning Commission of the City of Atascadero, in a regular session assembled on June 20, 2023, resolved to deny a request to add outdoor amplified sound to an existing church use.

On motion by Commissioner _____, and seconded by Commissioner _____, the foregoing resolution is hereby adopted in its entirety by the following roll call vote:

AYES:	()
NOES:	()
ABSENT:	()
ABSTAINED:	()
ADOPTED:	

CITY OF ATASCADERO, CA

Jeff van den Eikhof
Planning Commission Chairperson

ATTEST:

Phil Dunsmore
Planning Commission Secretary





Atascadero Planning Commission

Staff Report - Community Development Department

Sycamore RV Storage USE 21-0107 (VSM Leasing & Rentals LLC)

RECOMMENDATION:

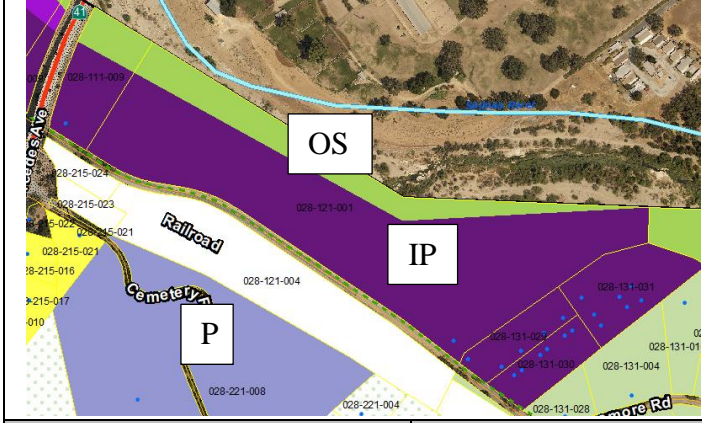

The Planning Commission adopt Draft Resolution approving Conditional Use Permit (CUP) USE21-0107 allowing a new business for outdoor Recreational Vehicle (RV) storage in the Industrial Park zone.

Project Info In-Brief:

PROJECT ADDRESS:	6805 Sycamore Rd.	Atascadero, CA	A P N	028-121-001
PROJECT PLANNER	Mariah Gasch Associate Planner	470-3436	mgasch@atascadero.org	
PROPERTY OWNER	VSM Leasing & Rentals LLC			
GENERAL PLAN DESIGNATION:	ZONING DISTRICT:	SITE AREA	EXISTING USE	PROPOSED USE
Industrial Park (IP)/ Open Space (OS)	Industrial Park (IP)/ Open Space (OS) /PD 31	23.24-acre site 6-acre lease area	Vacant/ Contract Construction	Recreational Vehicle (RV) storage
ENVIRONMENTAL DETERMINATION				
<input type="checkbox"/> Environmental Impact Report SCH: _____ <input type="checkbox"/> Negative / Mitigated Negative Declaration No. _____ <input checked="" type="checkbox"/> Categorical Exemption CEQA – Guidelines Section 15304 <input type="checkbox"/> Statutory Exemption §§ 21000, et seq & _____ <input type="checkbox"/> No Project – Ministerial Project				

DISCUSSION:

Existing Surrounding Uses / Parcel Configurations:

Existing Zoning		Existing Aerial / Surrounding	
			
North:	South:	East:	West:
Residential Suburban (RS)	Residential Suburban (RS)	Residential Suburban (RS)	Residential Suburban (RS)

Project site

The subject site is located on the north side of Sycamore Avenue, adjacent to the Salinas River. The site is owned by Atascadero Mutual Water Company (AMWC) and contains an existing fenced construction yard with storage buildings. In 2007, the City Council adopted a zone text change to establish a new site-specific Planned Development #31 Overlay Zone with a corresponding Master Plan of Development for this site. The intent of the zone text change was to allow for a private bicycle motocross (BMX) facility to locate on the property. The BMX facility was never constructed and aside from the existing construction yard, the site has remained vacant. The planned development states that all other uses listed as allowed or conditionally allowed are subject to the requirements of the Zoning Code, therefore the PD does not impact the scope of the proposed storage facility.

Project description:

The proposed project includes a six-acre outdoor recreational vehicle (RV) storage yard in the Industrial zone. The site is proposed to be used for the storage of up to 262 vehicles outdoors. Outdoor vehicle storage in excess of 10,000 square feet is subject to the review and approval of a Conditional Use Permit by the Planning Commission. In order to approve the use, the Commission must make a series of use permit findings. If approved, the project is also subject to conditions of approval.

Project Review History:

On July 28, 2022, the Design Review Committee (DRC) reviewed the proposed project and made recommendations regarding new and existing fencing and landscaping onsite. The applicant revised the plans in accordance with the DRC's recommendations.

In November 2022, this item was presented to the Planning Commission. Public comment focused on potential environmental impacts. In one letter received, staff was notified from a local Native American tribe that the site may be archeologically sensitive. The Planning determined that a Phase I Archaeological Survey be completed before taking further action on the project. During this hearing, the Commission also suggested a 10-year time limit on the storage use could be an option. The Commission voted to continue the meeting to a date uncertain, with a recommendation to provide an Archeology Study, and a Visibility Study with the applicant to stake out the property boundaries and Commissioners may visit individually to view the site.

Analysis

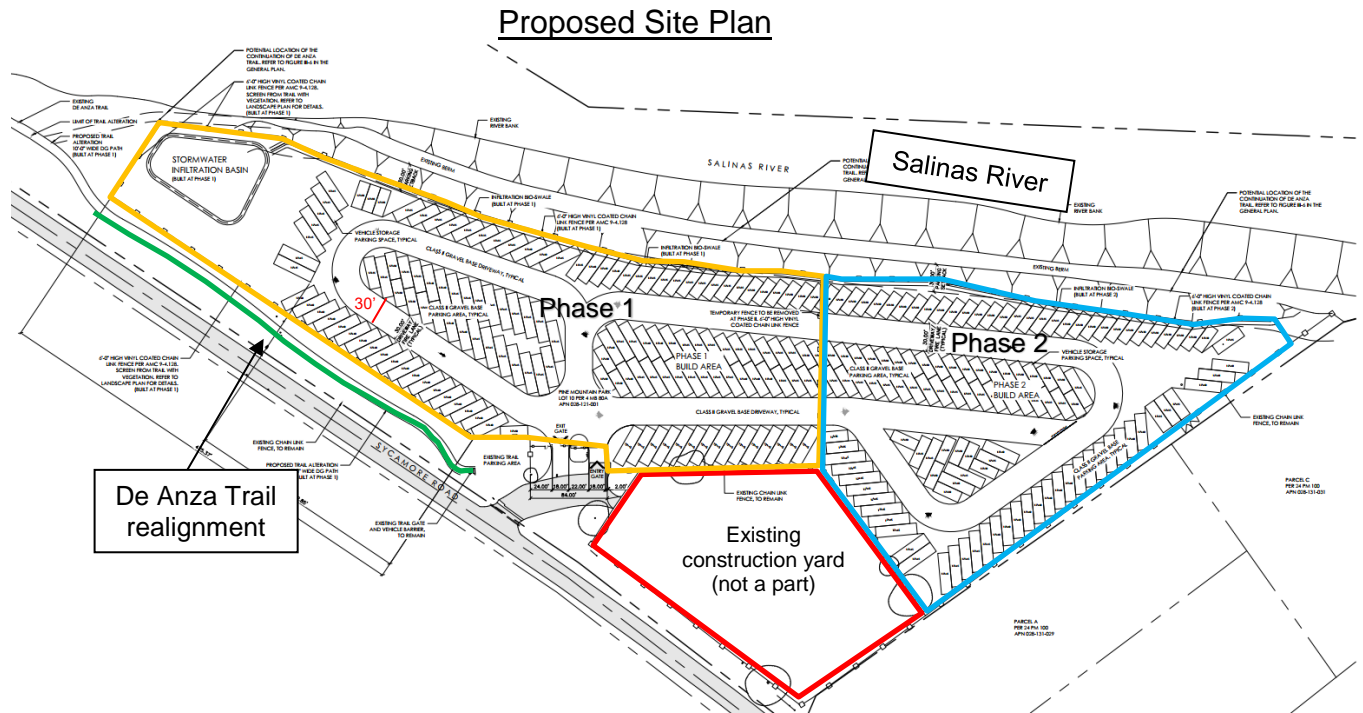
The land use proposed, *Outdoor Vehicle and Equipment Storage* is a conditionally allowed use in the Industrial Zoning district. Section 9-6.140 of the City's Zoning Regulations provides a set of site design standards for storage yards in addition to the provisions of the use permit (Attachment 3).

The applicant is proposing to complete the project in two phases. The first phase consists of 138 RV storage spaces, a new perimeter fence along the Phase 1 area, site grading with Class II base finish (in Phase 1 areas only), construction of an entrance gate and completion of the required stormwater basin. Phase 2 includes the addition of 124 RV storage spaces, removal of the fence between the two phases and extension of the chain link fence adjacent to the Salinas River.

The Juan Bautista de Anza Trail is currently accessed through this property and culminates from a small parking lot along Sycamore Road. This property acts as one of several access points to the trail. The de Anza trail is a part of the 1,200-mile National Historic Trail connects Nogales, Arizona to the San Francisco Bay Area. The current trail access is located on a previously graded and leveled site close to Sycamore Road and does not currently have any defining characteristics. The proposed RV storage project would define the trail, provide a formal entry and parking area, and add landscaping and to differentiate the trail from the remainder of the site. This project will also replace the chain link fence the currently encloses the trail with a lower split-rail fence to improve visibility to and from the trail. The proposed trail location is consistent with the Juan Bautista de Anza Trail's plan to continue down Sycamore Road. With this development, the trail access point will need to be realigned slightly to move along Sycamore Road.

- *Staff is adding a condition that the realignment of the De Anza Trail, and the improvements to fencing and landscaping, be completed with Phase 1.*

Staff does not recommend a condition that the use permit be limited to a maximum of ten years. Generally, a conditional use permit approval and its conditionals of approval run with the land and can be continued by subsequent owners or lessees. Once substantial improvements are invested into a site, a sunset of the land use is very difficult to enforce and may be legally challenged. No time limit conditions have been added to the conditions of approval. However, if the project does not comply with the proposed use permit conditions, the City may require subsequent review of the project and may revoke the use permit upon finding non-compliance.



Archaeological Assessment

An archaeological consultant: *Cultural Resource Management Services* conducted an archaeological inventory survey (Phase I) at 6805 Sycamore Road per the applicant's request in compliance with the California Environmental Quality Act (CEQA), the City of Atascadero, and San Luis Obispo County.

A records and literature search was conducted before the field survey, revealing that 19 previous studies have been conducted within 1/2 mile of the project, one of which (Waldron 1985) surveyed a majority of the proposed project area. Six prehistoric archaeological sites and 18 historic properties were found, none of which are located in close proximity to this site.

In 1969 and 1972 the entire parcel of land was flooded and the banks of the Salinas river changed substantially. Following this time, until the 1990s, the County of San Luis Obispo and CalTrans utilized this area to dispose of excess materials, such as asphalt, concrete, fill soil, and rock. According to a source at the Atascadero Mutual Water Company, this raised the level of the parcel around 10 feet. Evidence of this previous grading and fill still

remains on site. During the field investigation, all materials were found to be consistent with fill dirt that would have been imported into this site. There does not appear to be any native grade remaining on this heavily modified property.

The archaeological assessment found that no further investigations are necessary, as the parcel is part of the historic floodplain and is now covered with imported fill material. Atascadero Municipal Code (AMC) 9-4.162 finds that in the case that archaeological resources are unearthed or discovered during any construction activities that construction shall cease and the Planning Department notified to initiate disposition of the artifacts. Since the site is now buried by nearly 10 feet of fill material, it is unlikely that this would come about during construction.

Landscaping

The applicant provided a landscape plan proposing new landscaping along the access path to the De Anza Trail and Sycamore Road. Staff recommended a revision to the landscaping plan at the DRC hearing to focus taller vegetation along the interior fence adjacent to the RV storage lot. The DRC supported this recommendation and it has been added as a condition. This condition also includes adding shorter landscape species between the De Anza Trail and Sycamore Road to maintain visual access from the road to the trail to maintain safety.

The applicant's landscape plan did not include landscaping between the existing construction yard adjacent to this project and Sycamore Road. At the DRC hearing, staff recommended that the landscape plan be extended to include this portion since it is a part of the subject's parcel. The DRC also supported this recommendation and it has been added as a condition at this time. This landscaping should be consistent with what is proposed on the opposite side of the driveway. There are six Coast Live Oak trees that will remain onsite and be protected during construction. Minimal landscaping is proposed throughout the RV storage areas.

Atascadero Municipal Code (AMC) 9.4-125 requires 5% of the lot in an Industrial zone to be landscaped. The applicant is requesting an exemption from this requirement due to maintenance concerns and visibility into the site. Since the site is screened by fencing and landscaping along Sycamore Road, landscaping added within the RV lot will not be visible from the outside. Additionally, maintaining this landscape would be difficult as it would need to be irrigated and protected from vehicles driving over it. The Municipal Code allows the Planning Commission to approve a modification to eliminate the minimum landscape requirement if a finding can be made that existing vegetation topography or structural arrangement preclude the need for landscaping. Since the use is a storage use, compliance with the 5% requirement may be problematic. Based on location and this specific land use, staff recommends that the Planning Commission allow for a modification to only require landscaping along Sycamore Road and the De Anza Trail between this project area and the public viewshed. The landscape plan was broken into three sections and provided below. Landscaping on the eastern edge has been removed from the applicant's proposal.

Fencing, lighting and security

There is an existing six-foot-tall chain link fence along the eastern property line and around the current construction yard. This chain link fence extends the length of Sycamore Road. There is also an existing chain link fence along Sycamore Road up to the existing parking area for the trail. The applicant was originally proposing to keep the existing six-foot-tall fence along the Sycamore Road Property line. The DRC discussed the location of this fence and recommended that the fence between the De Anza Trail and Sycamore Road be up to four feet tall while maintaining clear visibility of the trail. Staff has added a condition that this be a split rail or pipe rail fence.

AMC 9-4.128 requires all new chain link fencing to be vinyl coated. However, due to cost and visibility, the applicant requested to utilize the existing fence along Sycamore Road and relocate it along the Salinas River edge. The Design Review Committee supported the applicant's request for this.

The applicant is proposing new six-foot-tall vinyl coated chain link fencing around the remainder of the RV storage lot. AMC 9-4.128 requires all new vinyl coated chain link fencing to be screened with evergreen vegetation. The new fence adjacent to the De Anza Trail will be heavily screened with landscaping. However, new fencing around the rear of the site is not proposed to have landscape screening. Staff is recommending an exception to this standard since the rear fence will abut an existing berm and is not visible from other properties. Adding landscaping to this side would extend into proposed storage spaces, potentially creating the need for a site redesign and reducing the number of parking spaces onsite. The applicant is proposing a powered gate that will be keypad controlled. There will be no regular onsite workers so the RV storage will be self-service.

The proposed plans show several new light poles throughout the site with a maximum height of 20 feet tall. Staff is recommending this maximum height be reduced 16 feet for each light pole. This will reduce the light spilling onto adjacent parcels. The applicant is proposing lights that dim to low levels light until motion is detected. This will reduce negative impact on the surrounding area while providing security for the business. Staff has added a condition that the applicant provide a photometric light study with the building permit submittal to ensure that light will not spill onto adjacent properties. They are also proposing the installation of five new security cameras on five of the proposed lights poles. The applicant has a pre-existing contract with a local security company. They plan to continue using them for this site for 24-hour security coverage.

Storage Yard Conditions

The Industrial zone is the appropriate location for intensive uses such as outdoor storage yards. However, such land uses can be detrimental to the City if not properly designed and adequately maintained. If approved, the use permit to allow a storage yard will run with the land, regardless of the business owner/operator, unless the use permit is revoked or modified by the City, or unless the uses ceases for a period of six months or more. The accumulation of storage containers, illegal businesses, transient camps, inoperable

vehicles, feral animals, and the storage of miscellaneous junk and debris are possible negative impacts that historically accompany this land use. Conditions of approval are incorporated in order to prevent such nuisances. Staff has added a series of conditions about site operation to ensure that the storage yard does not deteriorate over time.

ALTERNATIVES

1. The Planning Commission may include modifications to the project and/or Conditions of Approval for the project. Any proposed modifications including Conditions of Approval, should be clearly re-stated in any vote on any of the attached resolutions.
2. The Planning Commission may determine that more information is needed on some aspect of the project and may refer the item back to the applicant and staff to develop the additional information. The Commission should clearly state the type of information that is required. A motion, and approval of that motion, is required to continue the item to a future date.
3. The Planning Commission may deny the project. The Commission must specify what findings cannot be made, and provide a brief oral statement based on the Staff Report, oral testimony, site visit, correspondence, or any other rationale introduced and deliberated by the Planning Commission.

ATTACHMENTS:

- Attachment 1: Draft Resolution
- Attachment 2: Site Photos
- Attachment 3: AMC 9-6.140

DRAFT RESOLUTION

**RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF ATASCADERO APPROVING A CONDITIONAL USE PERMIT
TO ESTABLISH AN OUTDOOR RECREATIONAL VEHICLE STORAGE
USE IN THE INDUSTRIAL PARK ZONE**

**SYCAMORE RV STORAGE
VSM LEASING & RENTALS LLC
(USE21-0107)**

WHEREAS, an application has been received from VSM Leasing & Rentals LLC (3380 El Camino Real, Atascadero, CA 93422), Applicant, and Atascadero Mutual Water Company (PO Box 6075, Atascadero, CA 93422), Owner) to consider Planning Application USE21-0107, for a Conditional Use Permit for an outdoor Recreational Vehicle (RV) storage use at 6805 Sycamore Road, Atascadero, CA 93422 (APN 028-121-001); and

WHEREAS, the site's current General Plan Land Use Designation is Industrial and Open Space (I and OS); and

WHEREAS, the site's current Zoning District is Industrial Park and Open Space (IP and OS); and

WHEREAS, an outdoor vehicle storage yard is a conditionally allowed use in the Industrial Park (IP) zoning district; and

WHEREAS, the outdoor vehicle storage yard is not located on the portion of the site zoned Open Space (OS) zoning district; and

WHEREAS, the laws and regulations relating to the preparation and public notice of environmental documents, as set forth in the State and local guidelines for implementation of the California Environmental Quality Act (CEQA) have been adhered to; and

WHEREAS, a timely and properly noticed public hearing was held by the Planning Commission of the City of Atascadero at which hearing evidence, oral and documentary, was admitted on behalf of said conditional use permit; and

NOW, THEREFORE BE IT RESOLVED by the Planning Commission of the City of Atascadero:

SECTION 1. Recitals: The above recitals are true and correct.

SECTION 2. Public Hearing. The Planning Commission held a duly noticed public hearing to consider the project on June 20, 2023 and considered testimony and reports from staff, the applicants, and the public.

SECTION 3. Findings. The Planning Commission makes the following findings, determinations and approvals

1. Findings for Approval of a Conditional Use Permit

FINDING: The proposed project or use is consistent with the General Plan

FACT: The use is consistent with the General Plan. Specifically, it relates to intended uses in the Industrial Park zone. The General Plan states that one of the intended uses of this zone is for outdoor storage facilities. General Plan Policy 14.2 aims to identify locations with adequate land to accommodate industrial uses to retain and expand existing businesses. The municipal code allows outdoor vehicle storage operations with a conditional use permit.

FINDING: The proposed project or use satisfies all applicable provisions of the Zoning Ordinance

FACT: The proposed outdoor vehicle storage operation can be permitted through the Conditional Use Permit process as identified in the Municipal Code. The proposed site plan is consistent with the applicable provisions of the Atascadero Municipal Code as conditioned.

FINDING: The establishment, and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use

FACT: The proposed recreational vehicle storage facility will not be detrimental to the general public or working person's health, safety, or welfare.

FINDING: The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development

FACT: The proposed project is on a property that is zoned Industrial Park with a contract construction yard on it. The property is at the edge of the city in an area that has been designated for industrial uses.

FINDING: The proposed use or project will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved in conjunction with the project, or beyond the normal traffic volume of the surrounding

neighborhood that would result from full development in accordance with the land use element

FACT: The proposed project and use is consistent with the traffic projections and road improvements anticipated within the General Plan. The project site is an existing site on Sycamore Road.

FINDING: The proposed project is in compliance with any pertinent City policy or criteria adopted by ordinance or resolution of the City Council.

FACT: The project is consistent with the General Plan and municipal code, as conditioned.

2. Findings for Approval of Landscape Requirement Exception

FACT: Existing vegetation topography or structural arrangement preclude the need for landscaping.

FINDING: Since the site is screened by fencing and landscaping along Sycamore Road, landscaping added within the RV lot will not be visible from the outside. Additionally, maintaining this landscape would be difficult as it would need to be irrigated and protected from vehicles driving over it. Additionally, evergreen landscaping along the Salina River will not provide useful screening. The chain-link fence requiring screening is located against a berm and landscaping will be difficult to maintain.

SECTION 4. CEQA. The project is exempt from the California Environmental Quality Act (CEQA), under Categorical Exemption § 15304, Class 4; Minor Land Alterations.

SECTION 5. Approval. The Planning Commission of the City of Atascadero, in a regular session assembled on June 20, 2023, resolved to approve a Conditional Use Permit to allow for an outdoor recreational vehicle storage yard (USE21-0107) subject to the following:

1. EXHIBIT A: Conditions of Approval
2. EXHIBIT B: Site Plan
3. EXHIBIT C: Preliminary Grading and Drainage Plan
4. EXHIBIT D: Landscape Plan (as modified)

On motion by Commissioner _____ and seconded by Commissioner _____, the foregoing resolution is hereby adopted in its entirety by the following roll call vote:

AYES: ()

NOES: ()

ABSTAIN: ()

ABSENT: ()

ADOPTED:

CITY OF ATASCADERO, CA

Jeff van den Eikhof
Planning Commission Chairperson

Attest:

Phil Dunsmore
Planning Commission Secretary

EXHIBIT A: Conditions of Approval USE21-0107
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Conditions of Approval	Timing	Responsibility /Monitoring
Conditional Use Permit Outdoor Recreational Vehicle Storage 6805 Sycamore Road	<small>BL: Business License GP: Grading Permit BP: Building Permit FI: Final Inspection TO: Temporary Occupancy FO: Final Occupancy</small>	<small>PS: Planning Services BS: Building Services FD: Fire Department PD: Police Department CE: City Engineer WW: Wastewater CA: City Attorney</small>
1. This Conditional Use Permit shall be for an outdoor recreational vehicle storage yard as described in attached Exhibits, located at 6805 Sycamore Road (APN 028-121-001), regardless of owner.	Ongoing	PS
2. The approval of this use permit shall become final and effective the date of the hearing. Issuance of building permits may not occur prior to the appeal period of fourteen (14) days following the Planning Commission approval.	Ongoing	PS
3. The Community Development Department shall have the authority to approve the following minor changes to the project that (1) modify the site plan project by less than 10%, (2) result in a superior site design or appearance, and/or (3) address a construction design issue that is not substantive to the Conditional Use Permit.	Ongoing	PS, CE
4. Approval of this Conditional Use Permit shall be valid for twenty-four (24) months after its effective date. At the end of this time period, the approval shall expire and become null and void unless the project has received a building permit or a time extension.	BP	PS
5. This use permit shall be valid for this site regardless of owner. If the storage land use ceases for more than 6 months following initial occupancy or if the City verifies that the use is not in compliance with Use Permit conditions, the use permit shall be revoked and shall be subject to the review and approval of a new use permit, subject to zoning and General Plan compliance at the time of revocation.	Ongoing	PS
6. The owner and applicant shall defend, indemnify, and hold harmless the City of Atascadero or its agents, officers, and employees against any claim or action brought to challenge an approval by the City, or any of its entities, concerning this conditional use permit.	Ongoing	CA
Planning Services		
7. The Conditional Use Permit shall allow an outdoor recreational vehicle storage yard as shown in Exhibit B.	Ongoing	PS
8. All landscaping, fencing and site improvements shall be maintained in good order. Any dead or non-performing landscape items shall be replaced within 30 days. Any damaged fencing, lighting, or site improvements shall be replaced immediately.	Ongoing	PS
9. No changes to fencing, landscaping, or site improvements may be installed without prior approval by the City.	Ongoing	PS
10. No cargo containers, inoperable vehicles, inoperable boats or inoperable RV's shall be stored on-site. Only currently registered, operable vehicles or RV's may be stored on-site.	Ongoing	PS

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11. No storage of vehicles in any location other than in the designated on-site parking areas as identified in the site plan approved by Planning Commission may be stored on any portion of the site.	Ongoing	PS
12. No other land use shall be allowed in conjunction with the RV storage unless specifically approved by the City.	Ongoing	PS
13. No washing of vehicles, RV's or Boats or other equipment may occur on-site.	Ongoing	PS
14. No dumping of RV waste or water tanks may occur on site at any time.	Ongoing	PS
15. No storage, paving, stockpiling, grading, or use of the site shall be allowed within 30 feet of the top of the bank of the Salinas River.	Ongoing	PS / BS
16. The realignment of the De Anza Trail shall be consistent with what is shown in Exhibit B. The trail shall be completed and fully landscaped per the approved landscape plan. Any modifications must be approved by the Community Development Director. Generally, taller vegetation shall be focused between the RV storage lot and the realigned De Anza Trail. Shorter species shall be planted between the De Anza Trail and Sycamore Road to avoid the trail from becoming a hidden corridor	BP/ FI	PS
17. The existing chain link fence adjacent to Sycamore Road and the realigned De Anza Trail shall be replaced with a split rail or pipe rail fence with a maximum height of 4 feet tall. Fence shall be installed prior to requesting a Planning Final.	FI	PS
18. All new fencing chain link fencing, other than fencing along the Salina River, shall be vinyl coated with a dark neutral color. The maximum fence height shall not exceed 6 feet. However, the addition of barbed wire (NOT Constantine wire) may be added to the top of interior fences along the RV storage lot. Fencing shall be installed prior to requesting a Final Planning Inspection.	FI	PS
19. Existing chain link fencing along Sycamore Road may be repurposed to be used as fencing adjacent to the Salinas River.	FI	PS
20. The applicant shall submit a landscape and irrigation plan, completed by a qualified professional, with their construction documents. The landscape plan shall be consistent with what is shown inf Exhibit D with additional landscaping focused on the following areas: _Along the De Anza Trail realignment _ In front of the existing construction yard, adjacent to Sycamore Road Landscaping and irrigation shall be installed prior to requesting a Planning Final Inspection.	BP/FI	PS
21. Ensure that the De Anza Trail realignment is built out to meet equestrian trail standards.	FI	PS
22. Maximum height of new light poles shall not be taller than 16 feet for each light pole. The lights shall be set to dim low level light until motion is detected.	BP/ FI	PS
23. A photometric light study shall be submitted with the building permits for the Phase 2 addition and shall consider all new lights proposed and all existing lights proposed to be retained. The lighting plan shall not include any lights that cause a light in excess of .01 footcandles on adjacent properties. Planning Services staff shall conduct a night-time inspection of lights before the building permits may be finalized.	BP/FI	
24. The Use Permit shall be subject to additional review upon receipt of operational complaints. Additional mitigation may be warranted upon verification of recurring noise or operational disturbances that impact residential properties.	Ongoing	PS
25. Archaeological monitoring is required with all ground disturbing activities. The applicant will be required to provide a signed contract with a certified archaeologist prior to building permit issuance. The archaeologist is required to provide a letter to the City prior to Planning Department Final stating that all recommended procedures were completed.	BP/ FI	PS
Public Works		
26. At Building permit submittal, provide updated Stormwater Control Plan (and reflect on Grading Plans) indicating the areas outside of the drive aisles will not	BP	PW

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<p>be compacted >85% compaction to allow infiltration to meet Post Construction requirement #1 to reduce impervious surface as far as practicable.</p>		
<p>27. Parking spaces are noted to be native material and are susceptible to pollutant discharge from vehicles. At time of building permit submittal, on the plans and with supplemental documents, provide drip pans and spill kits for leaks or other spills, similar to what would be found in a municipal yard. (Reference industrial or municipal stormwater requirements for construction or corporation yard spill prevention.)</p> <p>A disposal station with spill kit supplies and covered cans for soiled materials shall be located on the site for individuals using the facility and maintained by the company who leases the land and runs the business.</p> <p>A contact phone number shall be made available to call if a facility user/customer has a spill. Provide copy of a Spill Response Plan to City for review and approval. This plan must be in place to provide a procedure for cleaning up major spills, including sewage or gray water leaks, in a timely manner with contact information for those who would be responsible parties.</p>	<p>BP/ Ongoing</p>	<p>PW</p>

EXHIBIT B: Site Plan
USE21-0107

(N) 6' vinyl coated chain link fence

Repurposed 6' chain link fence

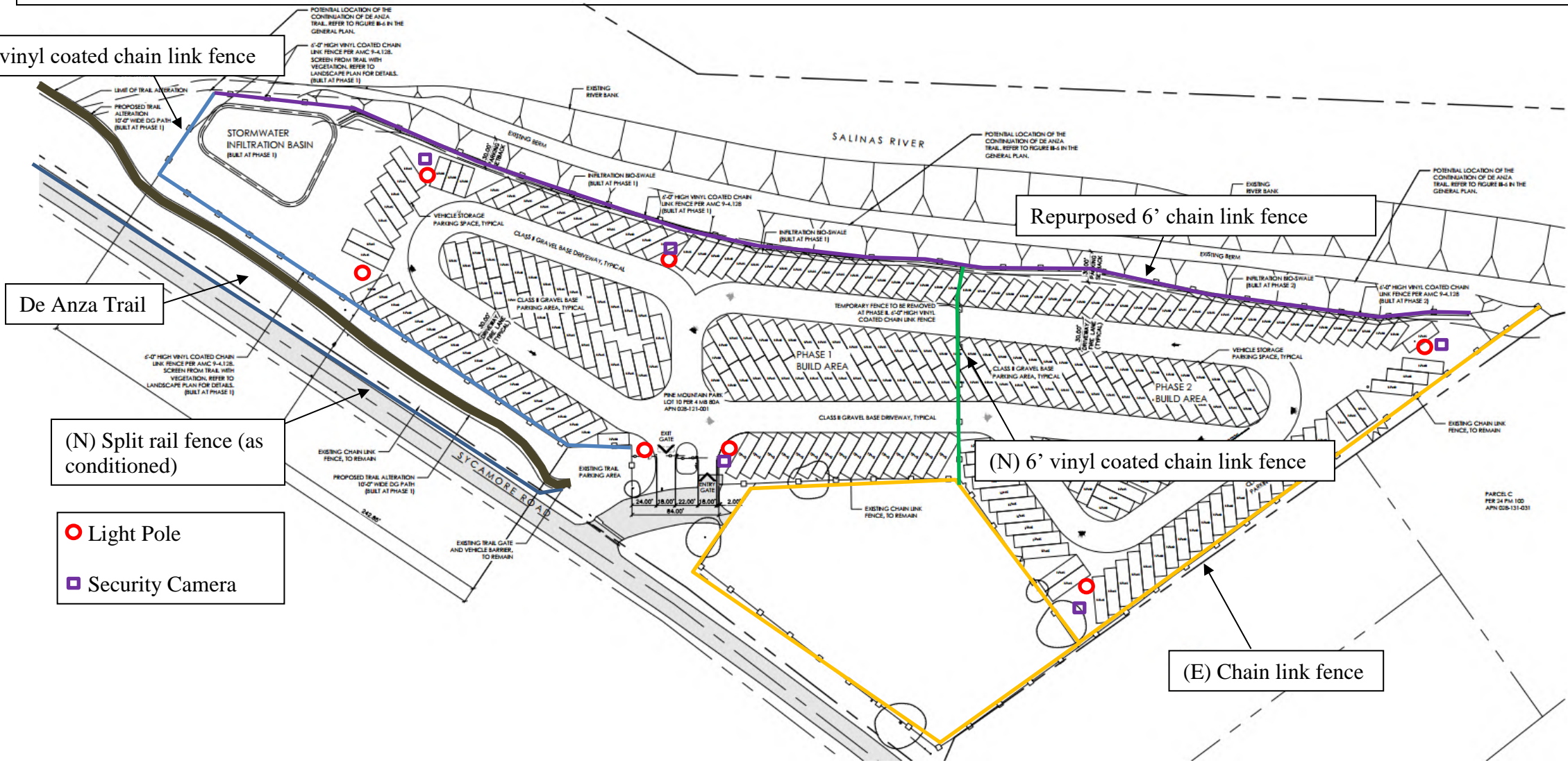
De Anza Trail

(N) Split rail fence (as conditioned)

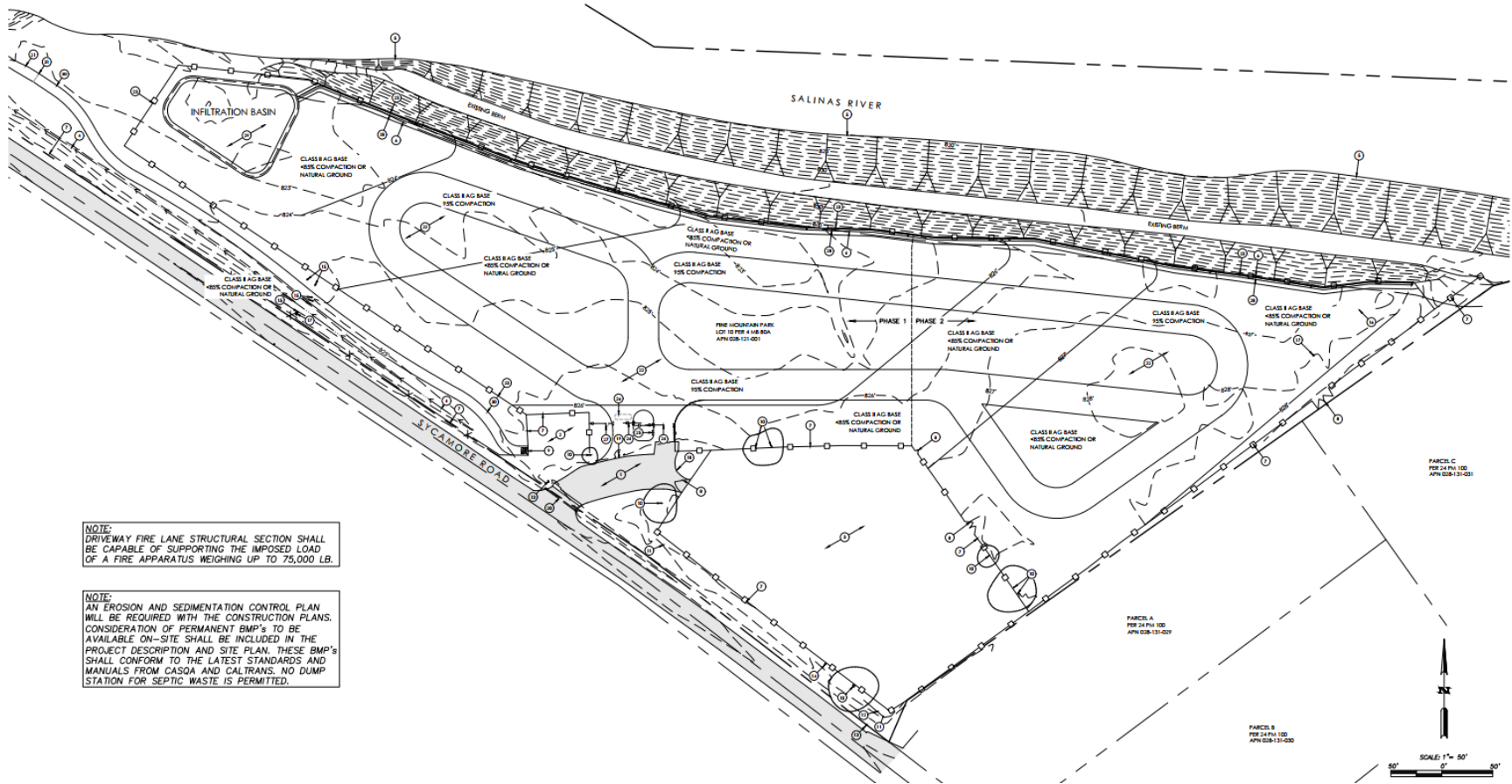
(N) 6' vinyl coated chain link fence

- Light Pole
- ◻ Security Camera

(E) Chain link fence

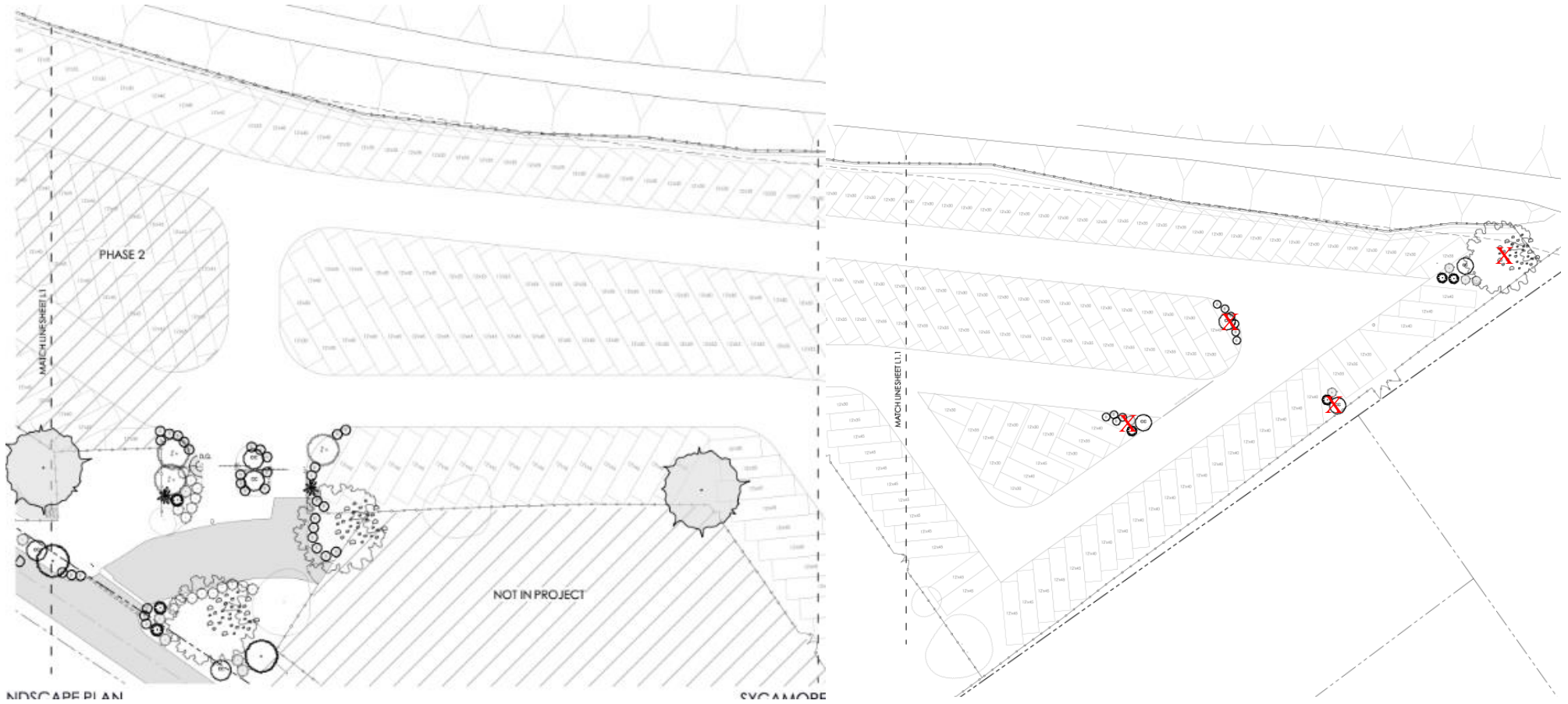


**EXHIBIT C: Preliminary Grading and Drainage Plan
 USE21-0107**



NOTE:
 DRIVEWAY FIRE LANE STRUCTURAL SECTION SHALL BE CAPABLE OF SUPPORTING THE IMPOSED LOAD OF A FIRE APPARATUS WEIGHING UP TO 75,000 LB.

NOTE:
 AN EROSION AND SEDIMENTATION CONTROL PLAN WILL BE REQUIRED WITH THE CONSTRUCTION PLANS. CONSIDERATION OF PERMANENT BMP'S TO BE AVAILABLE ON-SITE SHALL BE INCLUDED IN THE PROJECT DESCRIPTION AND SITE PLAN. THESE BMP'S SHALL CONFORM TO THE LATEST STANDARDS AND MANUALS FROM CAGQA AND CALTRANS. NO DUMP STATION FOR SEPTIC WASTE IS PERMITTED.



Existing Site (Facing Northwest)



Existing Site (Facing Northeast)



View of the site from Sycamore Road



Existing construction yard



De Anza Trail Entrance



Location of new automated gate



Attachment 3: AMC 9-6.140 USE 21-0107
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9-6.140 Storage yards.

Outdoor storage yards, excluding the storage of vehicles in a day use parking lot or garage, are subject to the provisions of this section. The storage of vehicles in a public or commercial parking lot or garage is subject to Section 9-4.114; the storage of wrecked, abandoned or vehicles being dismantled, is subject to Section 9-6.131, in addition to this section.

(a) Site Design Standards.

(1) Access. There shall be only one (1) access point to a storage yard for each three hundred (300) feet of street frontage. Such access point is to be a maximum width of twenty (20) feet and shall be provided with a solid gate or door.

(2) Screening. A storage yard, except a temporary offsite construction yard, is to be screened from public view on all sides by solid wood, painted metal or masonry fencing, with a minimum height of six (6) feet. All required screening shall be continuously maintained in good condition to assure that its intended purpose is accomplished. This requirement may be waived through administrative use permit approval (Section 9-1.112), when:

(i) The side of a storage yard abuts a railroad right-of-way; or

(ii) The surrounding terrain, existing vegetation intended to remain or other conditions would make fencing ineffective or unnecessary for the purpose of screening the storage yard from the view of public roads.

(3) Parking Requirement. None, provided that sufficient usable area is available to accommodate all employee and user parking needs entirely on-site.

(4) Site Surfacing. A storage yard shall be surfaced with concrete, asphalt paving, crushed rock, or oiled earth, and be maintained in a dust-free condition.

(5) Office Facilities. When no buildings exist or are proposed on a storage yard site, one (1) commercial coach may be utilized for an office, provided that such vehicle is equipped with skirting, and installed pursuant to the permit requirements of Title 8 of this Code (the Building and Construction Ordinance).

(b) Operation. Except for vehicles or freestanding equipment, materials within a storage yard are not to be stacked or stored higher than six (6) feet, unless screening requirements have been waived or modified pursuant to subsection (a)(2)(ii) of this section, or unless a higher wall or fence is constructed at the required setback line under an approved building permit. (Ord. 614 § 4, 2017; Ord. 552 § 2, 2010; Ord. 68 § 9-6.140, 1983)