



APPROVED

FEB 20 2024

**CITY OF ATASCADERO
PLANNING**

**CITY OF ATASCADERO
PLANNING COMMISSION**

MINUTES

**Regular Meeting – Tuesday, February 6, 2024 – 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 6:01 p.m. and Commissioner Hughes led the Pledge of Allegiance.

ROLL CALL

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

Absent: Commissioner Anderson

Vacant: None

Others Present: Annette Manier, Recording Secretary
Roxanne Diaz, Assistant City Attorney (via Teleconference)

Staff Present: Community Development Director, Phil Dunsmore
Planning Manager, Kelly Gleason
Senior Planner, Xzandrea Fowler
Associate Planner, Erick Gomez
Assistant Planner, Sam Mountain

APPROVAL OF AGENDA

MOTION: By Commissioner Carranza and seconded by Commissioner Heath to approve the Agenda.

***Motion passed 6:0 by a roll-call vote.
(Anderson absent)***

PUBLIC COMMENT

None.

Chairperson van den Eikhof closed the Public Comment period.

CONSENT CALENDAR

1. APPROVAL OF THE DRAFT MINUTES OF NOVEMBER 8, 2023
 - Recommendation: Commission approve the November 8, 2023 Minutes.
2. APPROVAL OF THE 2024 MEETING SCHEDULE
 - Recommendation: Commission approve the 2024 Meeting Schedule.

Commissioners Carranza and Hughes stated that they would be abstaining from the vote since they were absent from the last meeting.

MOTION: By Vice Chairperson Keen and seconded by Commissioner Schmidt to approve the Consent Calendar.

Motion passed 4:0 by a roll-call vote.
(Anderson absent)
(Carranza, Hughes abstained)

PLANNING COMMISSION BUSINESS

PLANNING COMMISSION REORGANIZATION:

A. Election of Chairperson and Vice Chairperson

The Commission will select a Chairperson and Vice Chairperson.

Chairperson van den Eikhof accepted nominations for Chairperson and Vice Chairperson.

MOTION: By Commissioner Carranza and seconded by Commissioner Schmidt to nominate Vice Chairperson Keen as Chairperson, and Chairperson van den Eikhof as Vice Chairperson. Commissioners Keen and van den Eikhof accepted the nominations.

Motions passed 6:0 by a roll-call vote.
(Anderson absent)

PUBLIC HEARINGS

3. 3675 MARICOPA ROAD

The project is a request for Planning Commission to consider a request for a 3rd accessory structure on APN 054-032-041 (USE23-0105)

- CEQA: The project is exempt from the California Environmental Quality Act (CEQA) under Categorical Exemption §15303; Class 3: small structures,

because it consists solely of the construction of a small, appurtenant U-occupancy structure.

- **Recommendation:** Staff's recommendation is for the Planning Commission to adopt the Draft Resolution approving a Conditional Use Permit for a third accessory structure at 3675 Maricopa Road, based on finding(s), and subject to conditions of approval; and take such additional, related action that may be desirable.

DISCLOSURE OF EX PARTE COMMUNICATIONS:

Commissioner Carranza stated that she drove by the property. Chairperson Keen stated that she looked at the project online. All other Commissioners had no ex parte.

Planner Mountain presented the staff report and answered questions from the Commission.

PUBLIC COMMENT

The following member of the public spoke: Kelly Bilu. Kelly answered questions from the Commission.

Chairperson Keen closed the Public Comment period.

MOTION: By Commissioner Carranza and seconded by Commissioner Hughes to adopt PC Resolution 2024-0001 approving USE23-0105 to allow a third accessory structure at 3675 Maricopa Road, on APN 054-032-041, based on findings and subject to conditions of approval.

***Motion passed 6:0 by a roll-call vote.
(Anderson absent)***

4. ZONING CODE UPDATE

Staff will provide a staff report on updates to Title 9 and Title 3 of the Atascadero Municipal Code (zoning and finance code) to clarify language and increase General Plan consistency. (ZCH22-0053)

- **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).

- Recommendation: Staff recommends Planning Commission adopt the Draft Resolution recommending that City Council introduce an ordinance for first reading, by title only, to approve amendments to Titles 3 and 9 of the Atascadero Municipal Code, based on findings; and take such additional, related, action that may be desirable.

DISCLOSURE OF EX PARTE COMMUNICATIONS:

None.

Planner Gleason and Director Dunsmore presented the staff report. Planner Gleason, Planner Mountain, and Director Dunsmore answered questions from the Commission. Planner Gleason noted two suggested changes after publication of the staff report as follows:

1. Change the word “greater” to “less” in section 9-6.106 related to accessory structure size
AMC 9-6.106: Residential Accessory Uses
 (2) . Floor Area. The maximum gross floor area of a detached accessory structure is not to exceed one hundred percent (100%) of the gross floor area of the principal structure, up to two thousand (2,000) square feet, whichever is less.

2. Modify definition for Personal Services – Restricted

- **Personal Services—Restricted. Service Establishments providing the following uses:** *Service establishments that may have a blighting and/or deteriorating effect upon the surrounding area which may need to be dispersed in order to minimize their adverse impact. Examples of these uses include, but are not limited to, the following: check cashing and/or payday/same day loans; fortunetellers, psychics; palm, tarot and card readers; card rooms, billiard and pool halls as a primary use; and tattoo and body piercing services *and hot tubs and saunas that are not an accessory to a permitted use.**

PUBLIC COMMENT

None

Chairperson Keen closed the Public Comment period.

MOTION: By Commissioner Hughes and seconded by Vice Chairperson van den Eikhof to adopt PC Resolution 2024-0002 recommending the City Council amend Titles 3: Finance, and Title 9: Planning & Zoning: to provide updates for General Plan and processing consistency and providing clarity related to development standards and land use definitions, and determining this ordinance

is exempt from review under the California Environmental Quality Act (ZCH22-0053), with staff's recommended changes above.

*Motion passed 6:0 by a roll-call vote.
(Anderson absent)*

COMMISSIONER COMMENTS AND REPORTS

Commissioner Schmidt stated that our website has changed, but he does have a complaint about some of the forms being in alphabetical order. His suggestion is to have them be available by department instead.

Commissioner Carranza gave an update on the mural projects.

Chairperson Keen asked about the 10850 El Camino Real project, and Director Dunsmore answered her questions.

DIRECTOR'S REPORT

Director Dunsmore stated that the next meeting will be on February 20, 2024, and gave an overview on upcoming items.

ADJOURNMENT – 7:45 p.m.

The next regular meeting will be on February 20, 2024, at City Hall, 6500 Palma Avenue, Atascadero, CA.

MINUTES PREPARED BY:



Annette Manier, Recording Secretary
Administrative Assistant

Adopted 2/20/24