



CITY OF ATASCADERO PLANNING COMMISSION AGENDA

HYBRID MEETING INFORMATION:

The Planning Commission meeting will be available via teleconference for those who wish to participate remotely. The meeting will also be held in the City Council Chambers and in-person attendance will be available at that location.

HOW TO OBSERVE THE MEETING REMOTELY:

To participate remotely, residents can livestream the meeting on [Zoom](#). The video recording of the meeting will repeat daily on Channel 20 at 1:00 am, 9:00 am, and 6:00 pm and will be available through the City's website and on the City's YouTube Channel. To participate remotely using the Zoom platform please visit:

<https://us02web.zoom.us/j/83250238111>

Planning Commission – Meeting ID: 832 5023 8111 (No Passcode Required)

HOW TO SUBMIT PUBLIC COMMENT:

Public comment may be provided in-person or remotely. Call **(669) 900-6833** (Meeting ID: 832 5023 8111) to listen and provide public comment via phone or via the [Zoom](#) platform using the link above.

Written public comments are accepted at pc-comments@atascadero.org. **Comments should identify the Agenda Item Number in the subject line of the email.** Such comments will be forwarded to the Planning Commission and made a part of the administrative record. ***To ensure distribution to the Planning Commission before consideration of an item, please submit comments not later than 12:00 p.m. the day of the meeting.*** All correspondence will be distributed to the Planning Commission, posted on the City's website, and be made part of the official public record of the meeting. ***Please note, comments will not be read into the record.*** Please be aware that communications sent to the Planning Commission are public records and are subject to disclosure pursuant to the California Public Records Act and Brown Act unless exempt from disclosure under applicable law. Communications will not be edited for redactions and will be printed/posted as submitted.

AMERICAN DISABILITY ACT ACCOMMODATIONS:

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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.



CITY OF ATASCADERO PLANNING COMMISSION AGENDA

**REGULAR MEETING
Tuesday, April 16, 2024
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 Tori Keen
Vice Chairperson Jeff van den Eikhof
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 MARCH 19, 2024

- **Recommendation:** Commission approve the March 19, 2024 Minutes.

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PLANNING COMMISSION BUSINESS**COMMUNITY DEVELOPMENT STAFF REPORTS**

None

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. 7685 SANTA YNEZ AVE.

The project is a request for a 3-lot subdivision on APN 031-152-021. (SBDV24-0015).

- **CEQA:** The proposed project is Categorically Exempt 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.) pursuant to CEQA Guidelines Section 15315 (Minor Land Divisions).
- **Recommendation:** Staff's recommendation is for the Planning Commission to adopt the Draft Resolution conditionally approving Tentative Parcel Map AT24-001 to allow a small home lot development and a flag lot subdivision of a 0.32-acre multi-family zoned parcel into a total of three parcels; and take such additional, related, action that may be desirable.

3. OBJECTIVE DESIGN STANDARDS

The project is a request to consider Objective Design Standards, which includes amendments to Title 9 to establish objective design and property development standards and related proposed environmental determination. (CPP21-0053).

- **CEQA:** The project is exempt from the California Environmental Quality Act (CEQA) under public resources Code Section 21000 et. Seq., because it can be seen with certainty that there is no possibility that the enactment of this

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Ordinance would have a significant effect on the environment (Pub. Resources Code §21065; CEQA Guidelines §15061(b)(3).

- Recommendation: Staff's recommendation is for the Planning Commission to continue to a date certain, May 7, 2024 to allow additional time for public outreach.

COMMISSIONER COMMENTS AND REPORTS

DIRECTOR'S REPORT

ADJOURNMENT

The next regular meeting will be on May 7, 2024, 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.**

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**CITY OF ATASCADERO
PLANNING COMMISSION**

DRAFT MINUTES

Regular Meeting – Tuesday, March 19, 2024 – 6:00 P.M.

City Hall

6500 Palma Avenue, Atascadero, California

CALL TO ORDER - 6:00 p.m.

Chairperson Keen called the meeting to order at 6:05 p.m. and Commissioner Carranza led the Pledge of Allegiance.

ROLL CALL

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

Absent: None

Vacant: None

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

Staff Present: Planning Manager, Kelly Gleason
Senior Planner, Xzandrea Fowler
Associate Planner, Erick Gomez

APPROVAL OF AGENDA

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

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

PUBLIC COMMENT

None.

Chairperson Keen closed the Public Comment period.

CONSENT CALENDAR

1. APPROVAL OF THE DRAFT MINUTES OF FEBRUARY 20, 2024

- Recommendation: Commission approve the February 20, 2024 Minutes.

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

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

PLANNING COMMISSION BUSINESS

None

PUBLIC HEARINGS**2. 6005 EL CAMINO REAL (THE CARLTON HOTEL)**

The project is a request to review a proposal for a Conditional Use Permit to add guest rooms on the ground floor and second floor resulting in modifications to the exterior of the existing Carlton Hotel building, and a parking modification on APN 029-342-023 (USE24-0019).

- CEQA: The project is exempt from the California Environmental Quality Act (CEQA) under Categorical Exemption §15303; Class 3: new construction or conversion of small structures.
- Recommendation: Staff's recommendation is for the Planning Commission to adopt the Draft Resolution approving a Conditional Use Permit to add guest rooms on the ground floor and second floor resulting in modifications to the exterior of the existing Carlton Hotel building, and a parking modification on APN 029-342-023, based on findings and subject to conditions of approval; and take such additional, related, action that may be desirable.

DISCLOSURE OF EX PARTE COMMUNICATIONS:

Commissioner Schmidt saw this project at the Design Review Committee.

Planner Fowler presented the staff report. Planner Fowler and Planning Manager Gleason answered questions from the Commission. Planner Fowler suggested an edit to Page 17 of the Resolution which states to add "and parking modification" after the word Permit.

PUBLIC COMMENT

The following members of the public spoke: Tom Sprinkles (Dunnigan Sprinkle Architects), Kamal Patel (Capricorn Property Group), Larry Pace (Construction Project Manager), Rob Polacek (via Teleconference), and Devin Haggie.

Chairperson Keen closed the Public Comment period.

MOTION: By Commissioner Schmidt and seconded by Commissioner Hughes to adopt PC Resolution 2024-0006 approving USE24-0019 approving a Conditional Use Permit to allow the remodel of the Carlton Hotel to add 11 additional guest rooms on the ground floor and the 2nd floor and a parking modification on APN 029-342-023, based on findings and subject to conditions of approval, with an added edit on page 17 to include “and parking modification” after the word “Permit”, and an addition to Condition 6 to state that “Staff and Applicants to develop a Parking Management Plan that could be reviewed should the parking situation negatively impact the downtown.”

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

COMMISSIONER COMMENTS AND REPORTS

Chairperson Keen, Commissioner Carranza, and Planning Manager Gleason attended the Planning Commissioner’s conference in Long Beach recently. Chairperson Keen gave a report on the training.

DIRECTOR’S REPORT

Planning Manager Gleason stated that the next meeting will be held on April 2, 2024, and the Commission will hear a small subdivision project. On April 16th, the Commission may hear Objective Design Standards. The General Plan Update meeting will be held next Tuesday.

ADJOURNMENT – 7:46 p.m.

The next regular meeting will be on April 2, 2024 at City Hall, 6500 Palma Avenue, Atascadero, CA.

MINUTES PREPARED BY:

Annette Manier, Recording Secretary
Administrative Assistant



Atascadero Planning Commission

Staff Report – Community Development Department

Condor Enterprises Tentative Parcel Map Tentative Parcel Map AT 24-0002 SBDV24-0015

RECOMMENDATION(S):

Planning Commission adopt the draft resolution conditionally approving Tentative Parcel Map AT 24-001 to allow a small home lot development and a flag lot subdivision of a 0.32-acre multi-family zoned parcel into a total of three parcels.

REPORT IN BRIEF:

Condor Enterprises, LLC requests a three-lot subdivision of a 0.32-ac lot zoned RMF-10 located at 7685 Santa Ynez Ave (031-152-021). The lot is a double frontage lot with frontage on both Santa Ynez and Navajoa Avenues. Access to Parcel 1 will continue to be from Santa Ynez Avenue. Parcels 2 and 3 will be in a flag lot configuration with shared access proposed from Navajoa Avenue via a 20' access easement. The subdivision is proposed as a Small Home Lot Development pursuant to the provisions of the Starter Home Revitalization Act of 2021 (Cal. Gov. Code § 66499.40).

DISCUSSION:

Background

The Starter Home Revitalization Act of 2021 became effective in January 2022. The law amended the California Subdivision Map Act to allow for the subdivision of multi-family-zoned parcels into small lot single-family parcels known as “Small Home Lot Developments.” Qualifying projects are subject to different subdivision and development standards set by the State. The law additionally prevents jurisdictions from requiring minimum parcel size, minimum setbacks between housing units (except as required by the building code), enclosed or covered parking, or formation of a homeowners’ association for any proposed small home lot developments.

Summary

The project proposes a three-lot subdivision of one (1) 0.32-ac property which is currently developed with a single-family dwelling and associated accessory structures. The subdivision will result in the creation of the following three parcels:

- 1) *Parcel 1.* A 5,319 SF lot fronting Santa Ynez Avenue which contains the existing 1,230 SF single-family dwelling with a 440 SF attached garage.
- 2) *Parcel 2.* A 3,642 SF flag lot with a 20' accessway stemming from Navajo Avenue. The accessway is not included in the size of the parcel.
- 3) *Parcel 3.* A 3,252 SF lot fronting Navajo Avenue.

Access to Parcel 1 will continue to be from Santa Ynez Ave. An access restriction and shared driveway is conditioned for Parcels 2 and three 3 to prevent traffic and safety conflicts. No driveways shall be permitted on Parcel 3 outside of the shared access easement.

Analysis

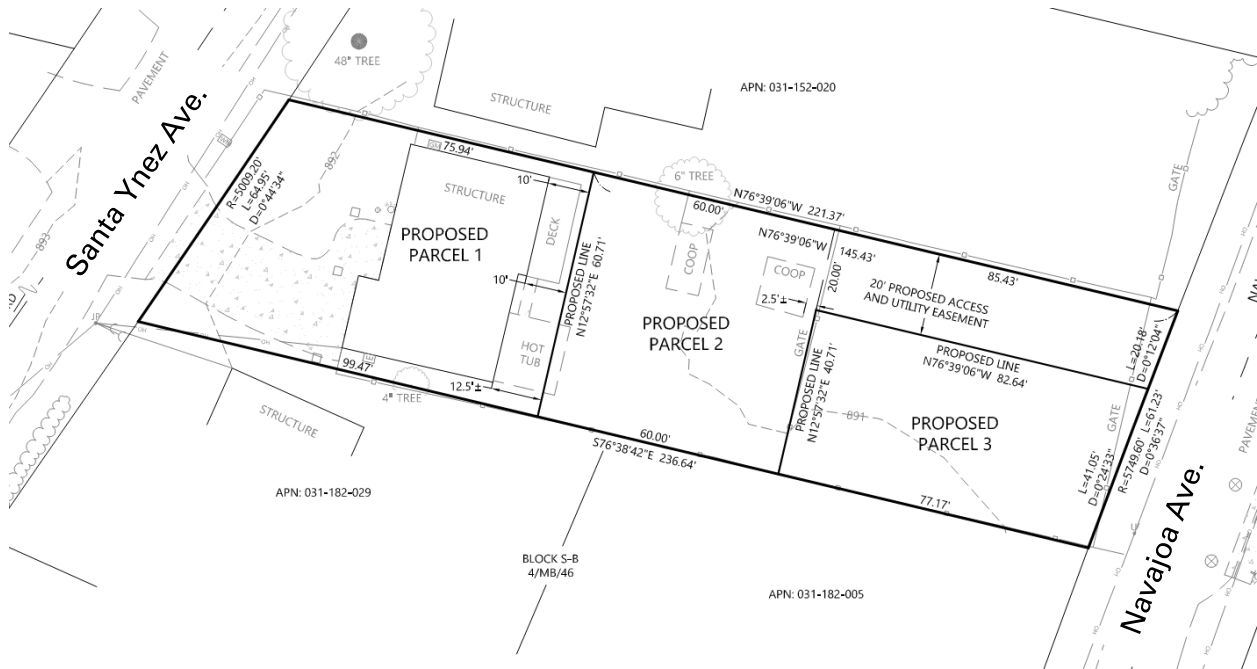
Starter Home Revitalization Act of 2021 (Cal. Gov. Code § 66499.40)

The California Subdivision Map Act (SMA) provides a total of eleven (11) criterion to define “small home lot development” under Cal. Gov. Code § 66499.40. The proposed subdivision meets the State’s listed criteria and qualifies as a small home lot development. Notably, the application submitted is only for a subdivision and no development is proposed at this time. Consistent with the provisions of Cal. Gov. Code § 66499.40, all new parcels would be limited to the development of one (1) primary dwelling unit. Additionally, the state requires that the average habitable floor space of the proposed units on a small home lot development not exceed 1,750 SF. There are no construction permits proposed at this time. Therefore, the future single-family residences on the resulting lots shall be limited to a maximum of 1,750 SF of habitable area to ensure consistency with State law. This size limit is included as condition of approval with language provided to grant flexibility based on existing development at the time the unit is proposed. The project is consistent with all other applicable sections of the SMA.

Atascadero Municipal Code Title 11 (Subdivisions)

The Atascadero Municipal Code sets a 0.5-acre minimum lot size in the multi-family zoning districts. Per code, smaller lots can be approved through a Planned Development Overlay Zone process. However, as a qualifying small home lot development under the 2021 State law, the City cannot apply minimum lot size standards. All other local requirements which are not in conflict with this section of State law are still applicable to the project, including those for deep lot / flag lot subdivisions, setbacks, and multi-family lot development standards. The project as conditioned complies with all applicable provisions of the Atascadero Subdivision Ordinance.





In addition to the standard subdivision findings, the Planning Commission is required to make additional findings to approve a flag lot subdivision. Those are included and discussed in the attached draft resolution.

ENVIRONMENTAL DETERMINATION:

The proposed project is Categorically Exempt 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.) pursuant to CEQA Guidelines Section 15315 (Minor Land Divisions).

FINDINGS:

To recommend approval of the proposed project, all required findings must be made in the affirmative by the Planning Commission. The California Subdivision Map Act and Title 11 (Subdivisions) of the Atascadero Municipal Code identify the specific findings that must be made to approve a Tentative Parcel Map for a Flag Lot Subdivision and a small home lot development. Findings and the facts to support these findings are included in the Draft Resolution.

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. Conditions of approval, however, cannot be in conflict with Government Code Section 66499.40.

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. It should be noted that small home lot developments must be approved unless specific findings as set forth in Government Code Section 66499.40(g) are made.

ATTACHMENTS:

1. Draft Resolution
2. Site Pictures



ATTACHMENT 1: Draft Resolution
SBDV24-0015

DRAFT PC RESOLUTION

**RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF ATASCADERO, CALIFORNIA,
APPROVING TENTATIVE PARCEL MAP AT 24-0002 (SBDV24-0015) FOR A THREE
LOT SUBDIVISION PURSUANT TO STATE LAW GOVERNING SMALL HOME LOT
DEVELOPMENTS (GOV'T CODE SECTION § 66499.40) AND TO ALLOW A FLAG LOT SUBDIVISION**

Condor Enterprises, LLC
7685 Santa Ynez Avenue, APN 031-152-021

WHEREAS, an application has been received from Condor Enterprises, LLC, 14002 San Antonio Rd, Atascadero, CA 93422, (Applicant/ Owner) to consider Tentative Parcel Map AT 24-0015 to allow a three-parcel, deep lot subdivision, including a flag lot, of a 0.32-ac property at 7685 Santa Ynez Avenue, Atascadero, CA 93422 (APN 131-152-021); and

WHEREAS, the site has a General Plan Designation of Medium Density Residential; and

WHEREAS, the site is in the Residential Multifamily, 10 dwelling unit per acre (RMF-10) zoning district; and

WHEREAS, the application is submitted as a Small Home Lot Development consistent with the criteria of the Starter Home Revitalization Act of 2021 (Gov. Code § 66499.40) as approved by Assembly Bill 803 and made effective January 1, 2022; 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 Tentative Parcel Map 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 Tentative Parcel Map; and

NOW, THEREFORE, the Planning Commission of the City of Atascadero, California hereby finds, resolves and determines as follows:

SECTION 1. Recitals: The above recitals are true and correct and incorporated herein as if set forth in full.

SECTION 2. Public Hearings. The Planning Commission held a duly noticed public hearing to consider the project on April 16, 2024 and considered testimony and reports from staff, the applicants, and the public.

SECTION 3. Findings for approval of Tentative Parcel Map. The Planning Commission finds as follows:

Subdivision Map Act Findings (Government Code §§ 66474(a)-(g))

1. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan and applicable Specific Plans.

Fact: The subject property is designated Medium Density Residential and is zoned RMF-10. The proposed lot will continue to allow the residential uses permitted anticipated by the General Plan and permitted by the zone. The subject property is not within a specific plan area.

2. The site is physically suitable for the type of development.

Fact: The subject property is a flat lot in a developed residential neighborhood with sufficient space to provide necessary access and services for new residential uses.

3. The site is physically suitable for the proposed density of development.

Fact: The subject property is a 13,895 SF lot zoned RMF-10. As existing, the site can be developed with three units without any foreseeable physical constraints that would prohibit the ability to meet local development standards.

4. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

Fact: The project is a subdivision of a semi-developed multifamily lot in a predominantly developed residential neighborhood. The vacant areas of the lot consist of significantly disturbed dirt, gravel and grass which have minimal habitat value for any protected flora or fauna.

5. The design of the subdivision or the type of improvements will not cause serious health problems.

Fact: Standard frontage improvements are conditioned to be completed the time of development to address drainage and improve on street parking. A condition of approval is included with the project that is intended to create a single point of vehicular access for Parcels 2 & 3 in order to reduce potential traffic safety conflicts by limiting access to a single driveway entry for both properties.

6. The design of the subdivision will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

Fact: No access easements presently exist on the subject property. A new access easement will be established on Parcel 2 in favor of Parcel 3 to secure safe access through a single driveway for both properties.

Small Home Lot Development Findings (Gov. Code § 66499.40(g)(1)-(4))

7. The small lot development meets all of the requirements of Gov. Code § 66499.40.

Fact: The proposed subdivision meets the defining criteria of a “Small Home Lot Development” and will be conditioned to ensure that all future single-family development complies with standards set forth by Gov. Code § 66499.40.

8. The small lot development complies with all requirements of the Subdivision Map Act that are not in conflict with Gov. Code § 66499.40.

Fact: The proposed project complies with all provisions of the Subdivision Map Act as well as local subdivision requirements, including the specific requirements for Small Home Lot Developments in Gov. Code § 66499.40. All findings of approval applicable to tentative parcel maps are made as listed in discussed in this resolution.

9. The small lot development complies with all local general plan, zoning, subdivision, and design standards that are not in conflict with Gov. Code § 66499.40.

Fact: The proposed project complies with the City’s general plan policies aof the Medium Density Residential land use designation as well as the applicable zoning provisions of the RMF-10 zone and local city subdivision standards.

10. The small lot development would have no specific, adverse impact upon the public health or safety. As used in this finding, a “specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact based on objective, identified written public health or safety standards, policies, or conditions, as they existed on the date the application was deemed complete.

Fact: There are no foreseeable adverse, specific impacts associated with the subdivision or future development of this property. The subdivision will allow for a density of three dwellings on the project site, which is equivalent to that of the original parcel.

Flag Lot Findings (AMC § 11-6.26)

11. The subdivision is consistent with the character of the immediate neighborhood.

Fact: The subject property is located along the boundary of the single family and multifamily zone. The nature of the development is such that each new parcel would

have the same development potential as a single-family parcel, and the maximum density would be the same as that of the original lot.

12. The installation of a standard street, either alone or in conjunction with neighboring properties is not feasible.

Fact: The size of the project cannot accommodate a standard street while retaining reasonably buildable lots due to the small lot nature of the subdivision.

13. The flag lot is justified by topographical conditions.

Fact: The project site is topographically well-suited to accommodate a flag lot because the property is flat without constraints that would prevent the use or improvement of proposed 20' access way for driveway or utility purposes consistent with City standards.

SECTION 4. CEQA. The project is exempt from the California Environmental Quality Act (CEQA), under Categorical Exemption § 15315, Class 15: Minor Land Divisions as identified in the attached Notice of Exemption.

SECTION 5. Approval. The Planning Commission of the City of Atascadero, in a regular session assembled on April 16, 2024, resolves to approve Tentative Parcel Map AT 24-0002 (SBDV 24-0015), subject to the following:

- EXHIBIT A: Conditions of Approval
- EXHIBIT B: Tentative Parcel Map
- EXHIBIT C: Notice of Exemption

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

Tori Keen
Planning Commission Chairperson

Attest:

Phil Dunsmore
Planning Commission Secretary

Exhibit A: Conditions of Approval
SDBV24-0015

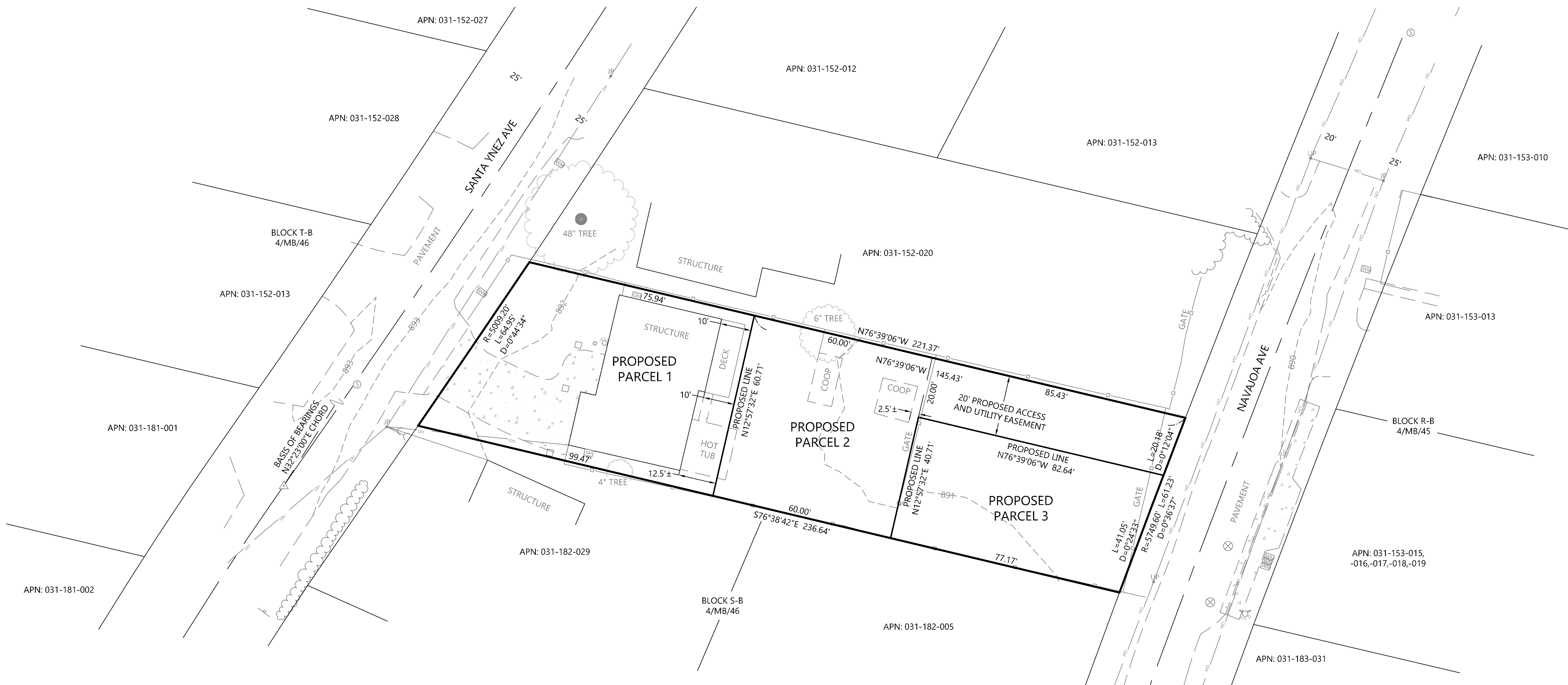
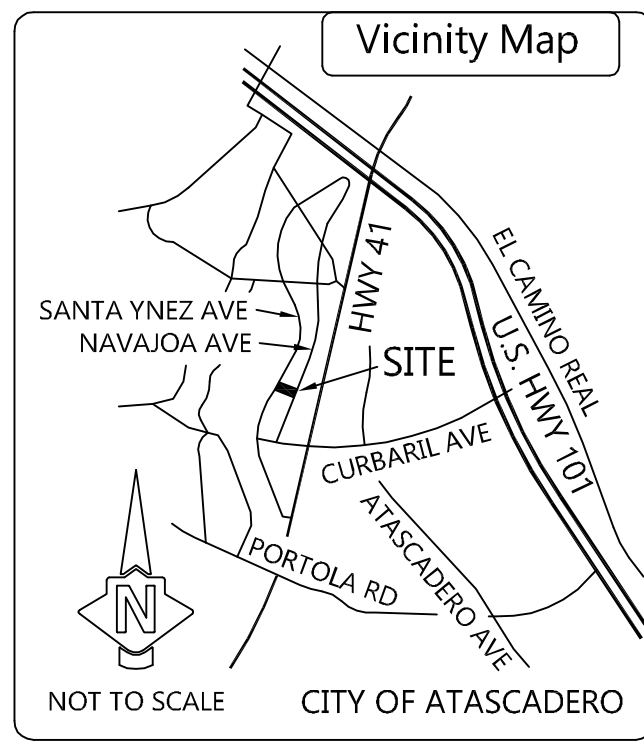
Conditions of Approval SBDV 24-0015 Tentative Parcel Map 24-0002 Condor Enterprises TPM APN 031-152-021	Timing	Responsibility /Monitoring
	BL: Business License GP: Grading Permit BP: Building Permit FI: Final Inspection TO: Temporary Occupancy FO: Final Occupancy	PS: Planning Services BS: Building Services FD: Fire Department PD: Police Department CE: City Engineer WW: Wastewater CA: City Attorney
PLANNING DIVISION		
1. This approval is for Tentative Parcel Map 24-0002 (SBDV24-0015) as depicted and described on the attached exhibits allows for the subdivision of APN 031-152-021 into a total of three legal lots under the small home lot development provisions of the Gov. Code § 66499.40. The approval of these entitlements project runs with the land, regardless of the owner.	Ongoing	PS
2. The approval of these entitlements shall become final and effective for the purposes of issuing building permits the day after the Planning Commission hearing unless an appeal is made in accordance with the Atascadero Municipal Code.	Ongoing	PS
3. In accordance with the Atascadero Municipal Code section 9-8.105, any violation of any of the conditions of approval may be cause for revocation of this entitlement and subject the applicant and/or future property owners to the penalties set for in the Atascadero Municipal Code, as well as any other available legal remedies.	Ongoing	Ongoing
4. The Community Development Director and/or City Engineer shall have the authority to make modifications to the final map that remain in substantial conformance with the approved Tentative Map.	BP / FM	PS, CE
5. Approval of these entitlements 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 project has received a final map, or a time extension has been granted, consistent with the Atascadero Municipal Code.	BP / FM	PS
6. A final map drawn in substantial conformance with the approved tentative map, and in compliance with all conditions set forth herein, shall be submitted for review and approval in accordance with the Subdivision Map Act and the City's Subdivision Ordinance.	FM	PS/CE
7. 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 the subdivision.	Ongoing	PS
8. All subsequent Tentative Map and construction permits shall be consistent with the Master Plan of Development approved for the project, or as further specified by the conditions herein.	BP / FM	PS, CE

Conditions of Approval SBDV 24-0015 Tentative Parcel Map 24-0002 Condor Enterprises TPM APN 031-152-021	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
9. The subdivision shall be subject to additional fees for park or recreation purposes (QUIMBY Act) as required by City Ordinance.	BP	PS
10. A shared access and utility easement shall be recorded over the 20' accessway on Parcel 2 in favor of Parcel 3. An easement agreement shall be recorded concurrently with the map which shall detail and govern nature of the easement, rights of the users, and maintenance responsibilities.	FM	PS, CE
11. An access restriction shall be recorded on the face of the map for Parcel 3 along the Navajoa Avenue frontage. All vehicular access shall occur from the shared access and utilities easement on Parcel 2 in favor of Parcel 3.	FM, BP	PS
12. This subdivision shall be developed with a single-family dwelling as prescribed by Gov. Code § 66499.40, as approved by Assembly Bill 803 and made effective January 1, 2022. A deed covenant shall be recorded concurrent with recordation of the final map stating that the maximum floor area of any single-family residences on the resulting lots (Parcel 1, 2 and 3) shall not exceed 1,750 SF, or as otherwise permitted for consistency in accordance with Gov. Code § 66499.40. The deed covenant shall specify other provisions and restrictions of State law as necessary to convey future development requirements, including that the site complies with the external site front, side and rear setback requirements and that proposed units comply with existing height limitations, if applicable.	FM	PS
13. The design of a single-family residence on Parcel 3 shall have a front building facade that faces Navajoa Avenue. This shall be included in the deed covenant.	FM, BP	PS
PUBLIC WORKS DEPARTMENT		
Utilities		
14. Each lot shall be served with separate services for water, sewer, gas, power, telephone and cable TV.	BP	CE
Frontage Improvements		
15. A "Covenant of Installation of Public Improvements" shall be required to be recorded concurrently with the Final Map. The document shall require frontage improvements and timing in accordance with the improvement deferral provisions of the Subdivision Map Act for parcel maps. The required improvements will include road widening, curb and gutter, and any associated improvements, or a variation approved by the City Engineer.	BP	CE

Conditions of Approval SBDV 24-0015 Tentative Parcel Map 24-0002 Condor Enterprises TPM APN 031-152-021	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
16. All public improvements shall be constructed in conformance with the City of Atascadero Engineering Department Standard Specifications and Drawings. Public Improvement Plans shall be submitted to the Public Works department for review and approval.	BP, GP	CE
17. Prior to the final Public Works inspection of the first parcel to develop which takes access off Navajoa Avenue (Parcel 2 or 3), the applicant shall submit a written certification from a registered civil engineer or land surveyor that all survey monuments have been set as shown on the final map.	BP, GP	CE
Standard Conditions		
18. Documents that the City of Atascadero requires to be recorded concurrently with the Final Map (e.g.: off-site rights-of-way dedications, easements not shown on the map, agreements, etc.) shall be listed on the certificate sheet of the map.	FM	CE
19. The City of Atascadero may require an additional map sheet for information purposes in accordance with the Subdivision Map Act.	FM	CE
20. The applicant shall be responsible for the relocation and/or alteration of existing utilities.	BP, GP	CE
21. All utilities (water, sewer, gas, electric, cable TV and telephone) shall be placed underground. Utilities shall be designed in a manner to accommodate future extensions or connection where feasible or required by the City.	BP, GP	CE
22. Prior to recording the parcel map, the applicant shall have the map reviewed by all applicable public and private utility companies (cable, telephone, gas, electric, sewer (City), water (Atascadero Mutual Water Company)). The applicant shall obtain a letter from each utility company indicating their review of the map. The letter shall identify any new easements that may be required by the utility company. A copy of the letters shall be submitted to the City. New easements shall be shown on the map.	FM	CE

EXHIBIT B: Tentative Parcel Map
SBDV24-0015

See Following



- Legend**
- STRUCTURE
 - FIRE HYDRANT
 - WATER VALVE
 - WATER METER
 - GAS METER
 - PHONE PEDESTAL, BOX, VAULT, OR LOCKER
 - MAIL BOX
 - SANITARY SEWER MANHOLE
 - SEWER CLEAN OUT
 - SIGN
 - LAMP POST
 - DRAIN INLET OR CATCH BASIN
 - ELECTRIC METER, BOX, VAULT, OR LOCKER
 - OVERHEAD UTILITY LINE
 - WALL
 - FENCES
 - UTILITY POLE
 - POWER POLE
 - JOINT POLE
 - GUY WIRE
 - MONUMENT WELL

Owner
 Condor Enterprises LLC, a California limited liability company
 14002 San Antonio Road
 Atascadero, CA 93422

Zoning & Land Use
 EXISTING & PROPOSED
 Zoning RMF-10
 Land Use MDR

Average Slope
 S. 1/2 Lot 7, Blk S-B, 4/MB/46 1% ±
 (APN: 031-152-021)

Basis of Bearings
 THE BASIS OF BEARINGS FOR THIS SURVEY IS N 32°23'00" E BEING THE CALCULATED CHORD BEARING OF THE CENTERLINE CURVE OF SANTA YNEZ AVE PER 4/MB/46 AS SHOWN HEREON.

Notes
 TOPOGRAPHIC SURVEY INFORMATION SHOWN HEREON IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT INTENDED FOR DESIGN PURPOSES.

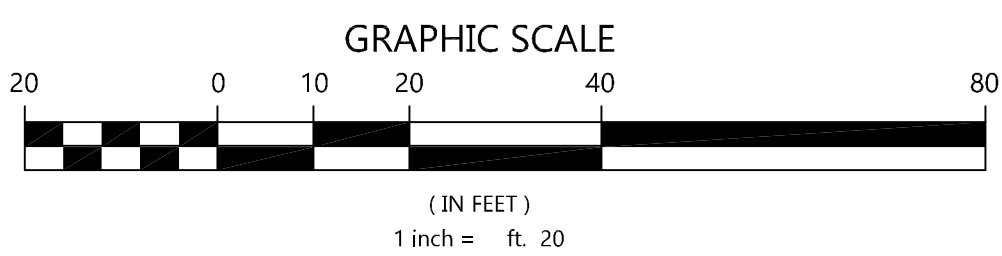
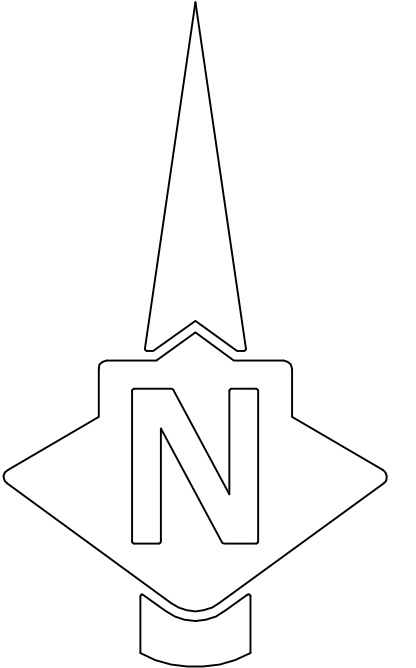
Preliminary Title Report
 Placer Title Company
 Order No. P-615825
 Dated: December 28, 2023 at 7:30AM

Unplottable Easements
 AMWC Easement(s) as described in Bk. 113, Pg. 56 of deeds.
 Easement(s) for utilities and incidental purposes as described in Bk. 119, Pg. 209 of deeds.

Original Area
 S. 1/2 Lot 7, Blk S-B, 4/MB/46 0.32 ac 13,895 sq ft Gross & Net
 (APN: 031-152-021)

Proposed Areas

Proposed Parcel 1	0.12 ac 5,319 sq ft Gross & Net
Proposed Parcel 2	0.12 ac 5,323 sq ft Gross
	0.08 ac 3,642 sq ft Net (Excluding Access Easement Area)
Access Easement Area:	0.04 ac 1,681 sq ft
Proposed Parcel 3	0.07 ac 3,252 sq ft Gross & Net



7600 Marro Road
 Atascadero, CA 93422
 www.DakosLandSurveys.com
 Ph (805) 466-2445
 info@dakoslandsurveys.com

TENTATIVE PARCEL MAP			
AT 24-0002			
Site:		7685 Santa Ynez Ave	
Requested By:		Condor Enterprises LLC	
		PROPOSED SUBDIVISION OF THE SOUTH 1/2 OF LOT 7, BLOCK S-B, CITY OF ATASCADERO, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA PER 4/MB/46.	
APN(S):	031-152-021	DATE:	2/29/2024
FILENAME:	23-139 Winslow Santa Ynez TPM	Drafter:	DD
Project:	22-071	Job:	23-139
Sheet:	1 of 1		

EXHIBIT C: Notice of Exemption
SBDV24-0015



CITY OF ATASCADERO
NOTICE OF EXEMPTION

6500 Palma Avenue Atascadero, CA 93422 805.461.5000

TO: Clerk-Recorder Office
County of San Luis Obispo
1055 Monterey Street Suite D120
San Luis Obispo, CA 93408

Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

FROM: City of Atascadero
Community Development Department
6500 Palma Avenue
Atascadero, CA 93422

Date Received Stamp

[Empty dashed box for Date Received Stamp]

SUBJECT: Filing of Notice of Exemption in Compliance with Sections 15062 and 21152 of the Public Resources Code

Project Title: SBDV24-0015 – Tentative Parcel Map AT 24-0002

Project Applicant: Condor Enterprises, LLC, 14002 San Anselmo Rd., Atascadero, CA 93422;
kwmcgurty@icloud.com; (805) 440-0285

Project Location: 7685 Santa Ynez Avenue, Atascadero, CA 93422 (APN 131-152-021)

Project Description: Tentative Parcel Map for a three-lot subdivision of a 0.32-acre lot zoned RMF-10 pursuant to the provisions for small home lot developments of the Starter Home Revitalization Act of 2021 (Cal. Gov. Code § 66499.40). The resulting Parcels, 1, 2, and 3 will be 5,319 SF, 3,642 SF, and 3,252 SF, respectively. Access to Parcel 1 will continue to be from Santa Ynez Avenue. Parcels 2 and 3 will be in a flag lot configuration with shared access proposed from Navajoa Avenue via a 20' access easement.

Name of Public Agency Approving Project: City of Atascadero

Name of Person or Agency Carrying Out Project: Condor Enterprises, LLC

Exempt Status:

- | | | | |
|--------------------------|---------------------------------------|-------------------------------------|--|
| <input type="checkbox"/> | Ministerial (Sec. 15268); | <input type="checkbox"/> | General Rule Exemption (Sec. 15061. c); |
| <input type="checkbox"/> | Declared Emergency (Sec. 15269(a)); | <input checked="" type="checkbox"/> | Categorically Exempt (Sec. 15301 - 15333); |
| <input type="checkbox"/> | Emergency Project (Sec. 15269(b)(c)); | <input type="checkbox"/> | Statutory Exemption (Sec. 15261 - 15285) |

Reasons why the project is exempt: The project is exempt from environmental review pursuant to pursuant to CEQA Guidelines Section 15315 (Minor Land Divisions). The subject property in urbanized areas zoned for residential use and will be subdivided into a total of three parcels. The project is in conformance the Atascadero General Plan and Zoning Ordinance, and all provisions of state law that otherwise override local requirements. The new parcels will continue to have access at their respective street frontage to all necessary services and utilities. The property has not been involved in the subdivision of a larger parcel within the previous 2 years. The parcel does not have an average slope greater than 20 percent.

Lead Agency Contact Person: Erick Gomez, Planner
(805) 470-3436
egomez@atascadero.org



Date Exemption Accepted: 04/16/2024

03/08/2024

ATTACHMENT 2: Site Photos
SBDV24-0015



Figure 1. Aerial view of Project Site with subject Assessor Parcels lines shown in red.



Figure 2. Western view of Project Site and existing single-family residence from Santa Ynez Avenue.



Figure 3. Western view of property from Navajoa Avenue.



CITY OF ATASCADERO

PLANNING COMMISSION STAFF REPORT

Item 3

Department: Community Development
Date: 4/16/24

TO: PHIL DUNSMORE, COMMUNITY DEVELOPMENT DIRECTOR
FROM: KELLY GLEASON, PLANNING MANAGER
PREPARED BY: KELLY GLEASON, PLANNING MANAGER

SUBJECT: Objective Design Standards (CPP21-0053)

RECOMMENDATION:

Planning Commission continue the item to a date certain, May 7, 2024, to allow additional time for public outreach and education.

DISCUSSION:

BACKGROUND

The Objective Design Standards (ODS) project would establish a set of quantifiable design criteria for multi-family residential projects, including mixed-use developments within commercial districts. These standards are being established in response to several recent State laws that require streamlined review for certain residential projects as well as to provide community consistency for these types of projects. Any multi-family or mixed-use development project with 2 or more residential units would be subject to ODS. This project entails substantial amendments to the City’s Zoning Code, Title 9 of the municipal code.

At this time, staff needs additional time to perform outreach to the public, Planning Commission members and City Council ahead of the hearing date.

REVIEWED AND APPROVED FOR PLANNING COMMISSION AGENDA

Phil Dunsmore, Community Development Director

ATTACHMENTS:

None